

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.14643 of 2024

ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused No.1 in Crime No.53 of 2024 of Central Crime Station, DD, Hyderabad, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 19.02.2024, at about 17:15 hours, the Police received a complaint stating that the accused are committing fraud by collecting amounts in the name of networking, trading and crowdfunding under the guise of online business platform namely Sky High Win. Based on the complaint, a case was registered vide Crime No.53 of 2024 before the Central Crime Station, DD, Hyderabad, for the offences punishable under Section 420 of the IPC and Sections 3, 5 of TSPDFEA.

3. Heard Sri Ahmed Khan, learned counsel appearing on behalf of the petitioner as well as Sri Syed Yasar Manoon, learned Additional Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioner *firstly* submitted that though there is no corroborative evidence to prove that the

petitioner has collected the said amounts from the victim,, the petitioner was falsely implicated in the case only to harass him. He *secondly* submitted that all the material witnesses were examined, and further detention of the petitioner is unnecessary. He *thirdly* submitted that the petitioner has been in judicial custody since 25.09.2024, causing undue hardship to his family and the allegations are false and fabricated. He *fourthly* submitted that the petitioner is resident of Bada Mohalla, Sunel Jhalawar, Rajasthan State, with movable and immovable properties, and is willing to furnish sureties as directed. He *lastly* submitted that previously, bail application of the petitioner, *vide* Crl.M.P.No.4549 of 2024, was dismissed by the Court of the Sessions Judge, Hyderabad, on 18.10.2024, without valid reasons and prayed the Court to grant bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that the investigation is not yet completed, therefore, granting bail to the petitioner, at this stage, does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. After considering submissions from both the parties and reviewing the record, since the petitioner languishing in jail

from 23.09.2024 and material part of investigation is completed, this Court deems it fit to grant bail to the petitioner subject to the following conditions:

- i. The petitioner shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each, with two sureties for a like sum each to the satisfaction of the XII Additional Chief Judicial Magistrate at Hyderabad.
- ii. The petitioner shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (8) weeks, for the purpose of investigation, and thereafter, as and when required.
- iii. The petitioner shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.(presently, Section 480(3) of the BNSS).

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 10.12.2024
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