

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.120 of 2025

ORDER:

Seeking the Court to enlarge the petitioner in Crime No.2171 of 2024 of Cyber Crime Police Station, Hyderabad, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that though the certain amounts were collected by the *de-facto* complainant in the name of Mark Bilson Elite Profit Exchange to trade in the stock market, the *de-facto* complainant has not received any amounts as returns. Hence, a case was registered a case vide Crime No.2171 of 2024 before the Cyber Crime Police, Hyderabad, for the offences punishable under Sections 66(C), 66(D) of the ITA and Sections 419, 420, 467, 468 and 471 of the IPC.

3. Heard Sri M.S.Achuyuth Bharathwaj, 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 the petitioner is innocent and he is no way concerned with the alleged offences. He *secondly* submitted that though there is

no corroborative evidence, the petitioner was implicated in the case with false and fabricated allegations. He *thirdly* submitted that all the material witnesses were examined, and further detention of the petitioner is unnecessary. He *fourthly* submitted that the petitioner has been in judicial custody since 17.12.2024, causing undue hardship to his family. He *fifthly* submitted that the petitioner is resident of Shadnagar, Mahbubnagar District, 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.4987 of 2024, was dismissed by the XII Additional Chief Metropolitan Magistrate, Hyderabad, on 27.12.2024, 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, it is apparent that there are no specific allegations against the petitioner in the complaint. Hence, since the petitioner is languishing in jail from 17.12.2024 and

also 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, Hyderabad.
- ii. The petitioner shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (8) week or till filing of charge sheet whichever is earlier, 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: 09.01.2025
gms

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