

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.604 of 2025

ORDER:

This Criminal Petition is filed under section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for granting of pre-arrest bail to the petitioners/accused Nos.13 and 14 in Crime No.768 of 2024 of Vanasthalipuram Police Station, Rachakonda.

2. The brief facts of the case are that a complaint was filed alleging that the Directors of Pudami Infra Projects, Alkapudi Ananda Kumar/A1 and Chevula Ramchandrar/A2, along with marketing director G. Shekhar/A3, had established a company that promised unusually high returns on investments. They allegedly approached the complainant and induced him to invest in their company by promising to return double the amount deposited and registering a plot as security. The complainant, believing their promises, became the Deputy General Manager and was responsible for bringing in customers. He, along with 16 other Deputy General Managers (DGMs) and 150 marketing staff, collected a total of Rs.36 crores from customers. The company, through its Vanasthalipuram branch, collected Rs.7,09,00,000/- from the

complainant's customers alone. However, the company paid only Rs.9,27,18,518/- to customers and registered plots worth Rs.13,15,52,118/-, leaving an outstanding due of Rs.22,37,47,882/-. Despite repeated requests from the complainant and other DGMs, the company directors procrastinated and failed to return the remaining amount to the customers. On receipt of the said complaint, the Police registered crime against the petitioners for the aforesaid offence. Aggrieved thereby, this criminal petition is filed.

3. Heard Sri R.Mangulal, 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 petitioners submitted that the petitioners/accused Nos.13 and 14, are innocent and have nothing to do with the allegations made against them. He contended that the petitioners were initially customers of the company established by Accused No.1 to 5, and were later employed as Deputy General Managers to mobilize customers. He asserted that the petitioners were not involved in the financial matters of the company and did not intentionally induce customers to deposit money, and as a matter of fact,

the petitioners were also victimized by Accused Nos.1 to 4 and had lodged a complaint against them. The counsel submits that mere employment of petitioners with the company cannot make them accused, and that the ingredients of Sections 406, 420 read with 34 of the IPC and Section 5 of the TSPDFEA do not attract against the petitioners. Therefore, prayed this Court to allow the criminal petition, granting the relief of anticipatory bail to the petitioners.

5. On the other hand, learned Additional Public Prosecutor vehemently opposed the submissions made by learned counsel for petitioners stating that as per the complaint averments the amounts involved in this case are huge and many customers were being cheated under the guise of higher returns, who became victimized by the false promises made by the company and their employees. Therefore, he prayed the Court to dismiss the Criminal Petition.

6. Having regard to the rival submissions made and on going through the material placed on record, it is noted that the limited grievance of learned counsel for petitioners is that petitioners are no way connected with the offence as alleged, which involves huge sums of money, whereas, it is the specific stand of learned Additional Public Prosecutor that as per the

averments of complaint, serious allegations are leveled against them.

7. On meticulously perusing the record, this Court is of the firm view that as per the complaint averments, primary and specific set of allegations are against accused Nos.1 to 3, and that the petitioners themselves were initially customers of the company established by the accused Nos.1 to 5. Therefore, the petitioners are granted pre-arrest bail, subject to compliance of the following conditions:

- i. The petitioners shall surrender before the Station House Officer of P.S. Vanasthalipuram, Rachakonda, within two weeks from today, and on such surrender, the said Station House Officer shall release them on bail on executing a personal bond for Rs.25,000/- with two sureties, for the like sum each.
- ii. The petitioners shall appear before the concerned Station House Officer on every Monday between 9:00 A.M. to 10 P.M., for a period of eight (08) weeks or till filing of charge sheet whichever is earlier.
- iii. The petitioners shall abide by the other conditions stipulated in Section 482(2) of Bharatiya Nagarik Suraksha

Sanhita, 2023 and co-operate with the
Investigating Officer in investigating
the case.

8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand
closed.

K. SUJANA, J

Date: 27.01.2025
gms

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