

**THE HONOURABLE SMT. JUSTICE K. SUJANA**

**CRIMINAL PETITION No.713 of 2025**

**ORDER:**

Seeking the Court to enlarge the petitioner who is arrayed as accused No.5 in C.C.No.480 of 2016 on the file of XII Additional Chief Metropolitan Magistrate at Hyderabad, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that though the *de-facto* complainant invested huge amounts in the business to get commission by believing the deceitful words of the accused persons, the accused persons failed to repay the commission as promised. Hence, a case was registered vide Crime No.14 of 2015 before the CCS DD Police Station, Hyderabad and after completion of the investigation, charge sheet was filed vide C.C.No.480 of 2016 on the file of XII Additional Chief Metropolitan Magistrate at Hyderabad, for the offences punishable under Sections 406, 417, 418, 420 and 422 of the IPC.

3. Heard Ms.Devineni Radha Rani, 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 as he is living in U.K at the time of 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 10.01.2025, causing undue hardship to his family. He *fifthly* submitted that the petitioner is resident of Vishakhapatnam, 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.137 of 2025 was dismissed by the XII Additional Chief Judicial Magistrate, Hyderabad, on 17.01.2025 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 there are serious allegations against the petitioner and the presence of the petitioner is required to complete the trial proceedings of the case, 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 the petitioner was working in U.K. since 2008. Pertinently, the punishment prescribed for the offences alleged against the petitioner is less than seven (07) years. Hence, since the petitioner is languishing in jail from 10.01.2025 and also charge sheet is filed after completion of investigation, 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 Metropolitan Magistrate at Hyderabad.
- ii. The petitioner shall cooperate with the trial proceedings by appearing before the concerned Court whenever his presence is required as the charge sheet is filed before the concerned Court.
- 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.

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**K. SUJANA, J**

Date: 23.01.2025  
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