

OTHE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION Nos.1479 AND 1502 OF 2025

COMMON ORDER:

These Criminal Petitions are filed by the petitioners seeking the Court to enlarge them on bail who are accused Nos.A.4 and A.3 respectively in F.I.R.No.3092 of 2024 of Cyber Crimes CCS, DD, Hyderabad. The offences alleged against the petitioners are under Sections 66 C, 66 D of Information Technology Act and under Sections 111 (2) (b), 318 (4), 319 (2), 336 (3), 338, 340 (2) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS').

2. The case of the prosecution is that on 29.12.2024 the defacto complainant lodged a report before the police stating that there is a serious case of online financial fraud where scammers misused the name of Master Trust Capital Services, a legitimate SEBI-registered company to deceive and defraud the complainant under the name of an investment program. The complainant came across an Instagram ad featuring an online registration link for an investment program. The link directed her to a form that required her email ID and mobile number. After filling the form the complainant was instructed to join a whatsapp group for daily stock

market updates and there are 200 members actively discussing the investment program in the said whatsapp group. Believing the same the complainant invested the amount in the said scheme. Later her investments generated a profit of Rs.17,708,351.22 plus investment Rs.51 lakhs and when she wanted to withdrew the same, she was insisted to pay 30% tax on the profit externally. That the organization would bear 20% of the tax, leaving her responsible for the remaining 10% and additionally they claimed 20% fee charges on the profits, was also to be paid. Further they also warned her that her account would remain frozen until all the taxes and fees are paid. Then the complainant came to know that she was cheated by the accused. As such, requested the police to take action against the accused. Basing on the said complaint, police registered the case against the accused.

3. Heard Sri S.Chandrashekhar Yadav, learned counsel for the petitioners and learned Additional Public Prosecutor appearing for the respondent-State.

4. The contention of learned counsel for the petitioners is that petitioners are innocent of the said offences. The only allegations against these petitioners is that they have withdrawn the amount

from the account of A.5, where, A.5 used to provide his account number and he was already served with Section 35 (3) of BNSS. The petitioners are in jail from 12.01.2025 and the investigating officer has already requested the Court for police custody which was also granted by the trial Court and interrogation is also completed. Hence, prayed to grant bail to the petitioners.

5. On the other hand, learned Additional Public Prosecutor opposed bail on the ground that the offences alleged are serious financial online fraud which requires investigation in detail. Therefore, prayed to dismiss these bail applications.

6. Considering the submissions made by both the counsel and the material on record, petitioners are in jail from 12.01.2025 and already the police custody petition was allowed and the investigating officer interrogated the petitioners. Considering the said circumstances, this Court deems it fit to grant bail to the petitioners subject to the following conditions :

- i. The petitioners in both the criminal petitions 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 XII

Additional Chief Metropolitan Magistrate at
Nampally, Hyderabad.

- ii. The petitioners in both the criminal petitions 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 petitioners in both the criminal petitions shall abide by the conditions stipulated in Section 482(2) of BNSS (previously known as Section 437 (3) of Cr.P.C.)

7. Accordingly, the Criminal Petitions are allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date :12.02.2025
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THE HON'BLE SMT. JUSTICE K. SUJANA

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