

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.2501 of 2025

ORAL ORDER:

Seeking the Court to enlarge the petitioner, who is arrayed as accused in Crime No.2719 of 2024 of Cyber Crime Police Station, DD, CCS, Hyderabad, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 12.11.2024, de facto complainant filed a complaint stating that she was cheated by N. Pavan Kalyan, who claimed to be a Capgemini HR representative. Pavan Kalyan contacted her through a cousin's resume and promised job opportunities in exchange for a token amount. He updated her on new openings through WhatsApp and took token amounts for various positions. Priyanka trusted him and transferred the amounts to his account, paying him from June to August 2024. However, when she questioned him about the lack of progress, he made excuses and threatened her. Eventually, she realized it was a fraud and demanded a refund, but he refused. Priyanka claimed that Pavan Kalyan and his associates

cheated her out of Rs.17,64,140/- using forged documents and multiple bank accounts.

3. Heard Sri B. Laxmi Reddy, learned counsel appearing on behalf of the petitioner as well as Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing on behalf of the respondent - State.

4. Learned counsel for the petitioner submitted that the police falsely implicated the petitioner in a crime based on a complaint by the de facto complainant. He further submitted that the arrest violated sections 47 and 48 of the BNSS, and that the judge failed to consider changed circumstances, including the completion of the petitioner's custody and the investigation and that the petitioner did not commit the alleged offence and is willing to cooperate with the investigation, abide by any court-imposed conditions, and furnish sureties. The petitioner has been in judicial remand for two months. Therefore, he 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 allegations leveled against the

petitioner are serious in nature. Therefore, at this stage, granting of bail to the petitioner does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. After considering the submissions made by both the learned counsel and reviewing the material available on record, it appears that the petitioner has been in jail since December 22, 2024. The remand CD file shows that the petitioner is not involved in any other crimes and has no pending cases. Therefore, prima facie, Section 111(2)(b) of the BNS Act does not apply to the petitioner, and the remaining offenses carry sentences of less than seven years. Given the facts and circumstances of the case, 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 learned
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) 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.

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 27.02.2025
SAI

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