

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.2866 of 2025

ORDER:

This Criminal Petition is filed under section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of pre-arrest bail to the petitioner in Crime No.92 of 2022 of Nizamabad II Town Police Station, Nizamabad.

2. The brief facts of the case are that despite collecting the amount from the *de-facto* complainant in the name of Sri Chit Funds Private Limited, the accused persons failed to repay the chit amount as promised. Hence, a case was registered *vide* Crime No.92 of 2022 of Nizamabad II Town Police, Nizamabad, for the offences punishable under Sections 420, 406, 506 read with 34 of the IPC and Section 5 of the TSPDFEA.

3. Heard Sri C.Sharan 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.

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 the petitioner was implicated in the case with false and fabricated allegations. He *thirdly* submitted that though the petitioner complied with the notice issued under Section 41-A of the Cr.P.C., the Police are apprehending the petitioner. He *lastly* submitted that the petitioner is resident of Nizamabad District, with movable and immovable properties, and is willing to furnish sureties as directed and prayed the Court to grant of anticipatory 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 allegations leveled against the petitioner are serious in nature and investigation is not yet completed and therefore, granting anticipatory bail to the petitioner, at this stage, does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. Having regard to the submissions made by both the parties and material available on record, it apparent that as per the averments of the complaint, the offence under Section 5 of the TSPDFEA is not applicable to the petitioner herein and except Section 5 of the TSPDFEA, the punishment

prescribed for the remaining offences alleged against the petitioner is less than seven (07) years. It is pertinent to note that material part of investigation is completed. Therefore, considering the facts and circumstances of the case, this Court is of the considered view that it is a fit case for granting of anticipatory bail to the petitioner.

7. Accordingly, this petition is allowed granting anticipatory bail to the petitioner in the event of her arrest subject to the following conditions:

- i. The petitioner shall surrender before the Station House Officer of P.S. Nizamabad II Town, Nizamabad District, within two weeks from today, and on such surrender, the said Station House Officer shall release him on bail on executing a personal bond for Rs.25,000/- with two sureties, for the like sum each.
- ii. The petitioner shall appear before the concerned Station House Officer on every Monday between 9:00 A.M. to

5:00 P.M., for a period of eight (08) weeks or till filing of charge sheet whichever is earlier.

- iii. The petitioner shall abide by the other conditions stipulated in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 07.03.2025
gms

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