

**THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO**

**CRIMINAL PETITION No.4491 of 2025**

**ORDER:**

This Criminal Petition is filed under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to, as 'BNSS') seeking bail to the petitioners/accused Nos.7 to 9 in Crime No.61 of 2025 of P.S.Cyber Crimes, CCS, DD, Hyderabad, registered for the offence under Sections 66(C) and (D) of Information Technology Act, 2000 and Sections 111(2)(b), 318(4), 319(2), 336(3), 338 and 340 (2) of Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS').

2. The brief facts of the case are that on 08.01.2025, the complainant lodged a complaint stating that on or prior to 22.12.2024 petitioners and other accused organized cyber crime by cheating with dishonest intention, including LW.1 luring him to deposit Rs.2,06,85,284/- in the guise of trading by offering huge returns by forging electronic documents, and A1 is the account holder of Kotak Mahindra Bank, who handed over his cheque book and ATM card to A2 and A3, who acted upon instructions of A1, A7 and A8 and A2 collected bank accounts from unemployed youth by offering them lucrative commission and A3 who is working in the Kotak Mahindra Bank, assisted A1, A7 and A8 in the account opening

process and for withdrawal of the fraud amount and that A3 received commission for the same, and after withdrawing the cash, A2 and A4 handed over the cash to A5, on the instructions of A1, A5 and A7 and that A5 is running fake business and taken one room for his office doing crypto frauds, and that A9 along with A5 handed over the received cash from A2 and A3 to A4, who is running hawala business and thus accused in conspiracy committed the alleged offence. Hence, Crime No.61 of 2025 was registered.

3. Heard Mr.K.Venkata Vara Prasad, learned counsel for the petitioners, and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent – State.

4. Learned counsel for the petitioners submitted that the petitioners were falsely implicated in the present crime and they did not commit any offence. He further submitted that the offences levelled against the petitioners are not attracted and entire allegations are levelled against the other accused and the petitioners have not received any amounts from the accused No.1. He further submitted that petitioners were arrested on 06.02.2025 and since then they are in judicial custody. He further submitted that similar allegations are levelled against accused No.3, as they were against petitioners/accused Nos.7 to 9 and the IV Additional

Sessions Judge at Hyderabad, granted bail to accused No.3 on 25.03.2025 in CrI.M.P.No.1252 of 2025. He further submitted that the entire investigation is completed, except filing of charge sheet and the petitioners are ready to abide by the conditions, which are going to be imposed by this Court and they will cooperate with the investigation. Hence, the petitioners may be enlarged on bail.

5. *Per contra*, learned Additional Public Prosecutor submitted that petitioners have committed grave offence and collected huge amount of Rs.2,06,85,284/- from the victims under the guise of luxury product scheme and the investigation is under progress. He further submitted that at this stage, petitioners are not entitled for grant of bail.

6. Having considered the rival submissions made by respective parties and after perusal of the material available on record, it reveals that petitioners were arrested on 06.02.2025 and since then they are in judicial custody. It is not in dispute that accused No.3 in the said crime was already released on bail. According to the learned Additional Public Prosecutor, 10 witnesses were already examined.

7. Taking into consideration the said facts, this Court is inclined to grant bail to the petitioners/accused Nos.7 to 9 subject to the following conditions.

- (i) The petitioners/accused Nos.7 to 9 shall be released on bail on executing a personal bond for a sum of Rs.30,000/- (Rupees thirty thousand only) each with two sureties for a like sum each to the satisfaction of the XII Additional Chief Judicial Magistrate at Nampally, Hyderabad.
  - (ii) On such release, the petitioners/accused Nos.7 to 9 shall appear the concerned S.H.O. at 11.00 a.m. on every Monday for a period of eight (8) weeks or till filing of the charge sheet, whichever is earlier, for the purpose of investigation, and thereafter, as and when required.
  - (iii) After release, petitioners/accused Nos.7 to 9 shall not influence the witnesses or interfere with the investigation.
  - (iv) The petitioners/accused Nos.7 to 9 shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C., presently Section 480(3) of BNSS.
8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

---

**J. SREENIVAS RAO, J**

Date:08.04.2025

vsl