

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.4505 of 2025

ORDER:

This Criminal Petition is filed under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhitha, 2023 (for short 'BNSS') seeking bail to the petitioner/accused in Crime No.293 of 2024 on the file of the P.S. Cyber Crime, Hyderabad, registered for the offences punishable under Sections 66C and D of Information Technology Act, 2000 (for short 'ITA') and Sections 419 and 420 of Indian Penal Code, 1860 (for short 'IPC').

2. The case of the prosecution is that on 01.02.2024, the complainant lodged a complaint against the petitioner, alleging that the petitioner cheated him to a tune of Rs.25,36,000/- under guise of online investment. Basing on the same, a case was registered in Crime No.293 of 2024.

3. Heard Mr.Rama Krishna, learned counsel representing M/s.JMS Law Firm, learned counsel for the petitioner and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioner submitted that the petitioner has not committed the offence and he was falsely implicated in the

above crime. He further submitted that the punishment prescribed for the offences levelled against the petitioner are less than seven years and the petitioner was arrested on 11.02.2025 and since then he has been in judicial custody. He further submitted that the entire investigation is completed and investigation officer has not filed charge sheet even after expiry of statutory period and the petitioner shall abide by the conditions, which are going to be imposed by this Court, and he is ready to cooperative with the investigation. Hence, the petitioner may be enlarged on bail.

5. *Per contra*, learned Additional Public Prosecutor submitted that petitioner has committed grave offence and he is involved in similar cases and investigation is under progress. Hence, at this stage, the petitioner is not entitled for grant of bail.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that the petitioner was arrested on 11.02.2025 and since then he is in judicial custody. It is not in dispute that the punishment prescribed for the offences levelled against the petitioner are less than seven years and charge sheet has not been filed even after expiry of statutory period.

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

- (i) The petitioner/accused shall be released on bail on executing a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for a like sum each to the satisfaction of the XII Additional Chief Metropolitan Magistrate at Nampally, Hyderabad.
- (ii) The petitioner/accused shall appear before 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.
- (ii) The petitioner/accused 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.

As a sequel thereto, miscellaneous applications, if any, pending in this petition stand closed.

J. SREENIVAS RAO, J

Date: 04.04.2025

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