

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.4707 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 petitioner/accused No.6 in Crime No.2154 of 2025 of Cyber Crimes Police Station, CCS, DD, Hyderabad, registered for the offence under Sections 66(C) and (D) of the Information Technology Act, 2000 and Sections 308(2), 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 06.09.2024, the complainant lodged a complaint stating that the petitioner along with other accused have collected an amount of Rs.1,12,007,55/- from her under the guise of investment and cheated her with dishonest intention. Basing on the same, Crime No.2154 of 2024 was registered.

3. Heard Mr.Chandrashekhar Yadav, learned counsel for the petitioner, and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent – State.

4. Learned counsel for the petitioner submitted that the petitioner was falsely implicated in the present crime and he did not commit any offence. He further submitted that even according to the allegations made in the complaint and as per the remand case diary, the police seized an amount of Rs.37,620/- only from the petitioner and the petitioner's bank account had already been frozen. He further submitted that the petitioner was arrested on 25.01.2025 and since then he was in judicial custody and the material part of the investigation is completed. He further submitted that similar allegations are leveled against accused Nos.2 to 5 in the said crime, as they were against petitioner/accused No.6 and accused Nos.2 and 5 were enlarged on bail and for accused Nos.3 and 4, the investigating officer had issued notice under Section 35(3) of BNSS. He further submitted that the petitioner is ready to abide by the conditions, which are going to be imposed by this Court and he will cooperate with the investigation. Hence, the petitioner may be enlarged on bail.

5. *Per contra*, learned Additional Public Prosecutor submitted that petitioner has committed grave and the investigation is under progress. At this stage, if the petitioner is granted bail, he will

interfere with the investigation and influence the witness. Hence, prayed to dismiss the petition.

6. Having considered the rival submissions made by respective parties and after perusal of the material available on record, it reveals that the petitioner was arrested on 25.01.2025 and since then he is in judicial custody and accused Nos.2 and 5 were enlarged on bail and the investigating officer had issued notice under Section 35(3) of BNSS to accused Nos.3 and 4.

7. Taking into consideration the said facts, this Court is inclined to grant bail to the petitioner/accused No.6 subject to the following conditions.

(i) The petitioner/accused No.6 shall be released on bail on executing a personal bond for a sum of Rs.50,000/-(Rupees fifty thousand only) 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 petitioner/accused No.6 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, if the petitioner/accused No.6 has committed similar offence, the respondent-State is entitled to file an application seeking cancellation of the bail granted by this Court in his favour.

(iv) The petitioner/accused No.6 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:10.04.2025

vsl