

The Hon'ble Sri Justice J.Sreenivas Rao

Criminal Petition No.4847 of 2025

Order:

This Criminal Petition is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') by the petitioners/accused Nos.11 and 12, seeking anticipatory bail in Crime No.768 of 2024 of Vanasthalipuram Police Station, Rachakonda Commissionerate, registered for the offences punishable under Sections 420 & 406 of the Indian Penal Code, 1860 (IPC) and Section 5 of the Telangana Protection of Depositors of Financial Establishments Act, 1999 (for short 'the TPDFEA Act') and Sections 5 and 6 of Prize Chits and Money Circulation (Banning) Act, 1978 (for short 'PCMC Act').

2. Heard Mr. Prudhvi Raj, learned counsel representing Mr. R.Mangulal, learned counsel for the petitioners/accused Nos.11 and 12 and Mr. Syed Yasar Mamoon, learned

Additional Public Prosecutor appearing for the respondent-State.

3. The case of prosecution in brief is that on 06.07.2024 at about 15:00 hours, the Station House Officer, Vanasthalipuram Police Station, Rachakonda Commissioner received a complaint from the complainant stating that accused Nos.1 to 3 in the aforesaid crime established a company viz., Pudami Infra Projects that promised unusually high returns on investments and they being the Directors of the said company they induced the complainant to invest in their company by promising high returns and registered a plot as security and the complainant, believing their promises, agreed to do marketing and became the Deputy General Manager and he along with 16 other Deputy General Managers (DGMs) and 150 marketing staff, collected a total of Rs.36 crores from customers and the company, through its Vanasthalipuram branch, collected Rs.7,09,00,000/- from the complainant's customers alone but,

the company paid only Rs.9,27,18,518/- to customers and registered plots worth Rs.13,15,52,118/-, leaving an outstanding due of Rs.22,37,47,882/-. Despite repeated requests from the complainant and other DGMs, the company directors procrastinated and failed to return the remaining amount to the customers. On receipt of the said complaint, the Police registered the aforesaid crime against the accused.

4. Learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offence and they were falsely implicated in this crime and they have no criminal antecedents. He further submits that accused Nos.13 and 14 in the aforesaid crime have filed CrI.P.No.604 of 2025 seeking anticipatory bail and the same was allowed on 27.01.2025 and that the very same allegations as levelled against accused Nos.13 and 14 are levelled against the petitioners herein and therefore, the petitioners be granted anticipatory bail as they are ready and willing to cooperate with the

investigation and abide by the conditions as may be imposed by this Court.

5. Per contra, learned Additional Public Prosecutor submits that as per the complaint averments, the amounts involved in this case are huge and the investigation is in progress and at this stage, if the petitioners are granted anticipatory bail, there is every chance of their influencing the witnesses and interfering with the investigation and prays to dismiss the criminal petition.

6. Having regard to the rival submissions made by the parties and on going through the material available on record, it reveals that the allegations leveled against the petitioners herein and those levelled against accused Nos.13 and 14 are similar and accused Nos.13 and 14 were already granted anticipatory bail *vide* order dated 27.01.2025 in CrI.P.No.604 of 2025.

7. In view of the same, this Court is inclined to grant anticipatory bail to the petitioners/accused Nos.11 and 12 subject to the following conditions;

- (i) Petitioners/Accused Nos.11 and 12 are directed to surrender before the Station House Officer, Vanasthalipuram Police Station, Rachakonda Commissionerate, on or before 22.04.2025;
- (ii) On such surrender, the Station House Officer, Vanasthalipuram Police Station, Rachakonda Commissionerate, shall release the petitioners/accused Nos.11 and 12 on bail on their executing personal bonds for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) each with two sureties for a likesum each to the satisfaction of the said Officer;
- (iii) On such release, petitioners/accused Nos.11 and 12 shall appear before the Station House Officer, Vanasthalipuram Police Station, Rachakonda Commissionerate, on every Monday at 11:00 a.m., for a period of eight weeks for the purpose of investigation and thereafter, as and when required by the police for investigation.

(iv) Petitioners/accused Nos.11 and 12 shall abide by the conditions stipulated under Section 438(2) of the Criminal Procedure Code, 1973/ Section 482 of BNSS and shall cooperate with the investigation officer for conclusion of investigation.

8. Accordingly, the Criminal Petition is allowed.

As a sequel, miscellaneous petitions, pending if any, stand closed.

Date: 15.04.2025
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J.SREENIVAS RAO, J