

THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

CRIMINAL PETITION NO. 4802 OF 2025

ORDER:

This Criminal Petition is filed by the petitioners/accused Nos.11 to 19 under Sections 480 and 483 of Bharatiya Nagrik Suraksha Sanhita (BNSS) to enlarge them on bail in Crime No.5 of 2025 of Cyber Crime (HQRS) Police Station, Hyderabad, registered for the offence punishable under Sections 318(4), 319(2) and 338 read with Section 3(5) of BNS and Section 66(D) of the Information Technology Act, 2000 (for short, "the IT Act").

2. Heard Sri M. Ashwin Reddy, learned counsel for the petitioners and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for respondent.

3. The case of the prosecution is that on 04.05.2025 at 1700 hours one Sri Bhadramraju Ramesh, Inspector of Police, CCPS (Hqrs), TGCSB, filed a suo-motu complaint stating that a cyber crime call centre was being operated from 1st Floor, SVS Projects Pvt., Ltd., Patrika Nagar, Road No.2, Huda Techno Enclave, Hi-Tech City, Hyderabad, under the name "Exitto Solutions" and one Chanda Manaswini, who is the native of Gujarat, is the kingpin of the said call centre. She along with the petitioners and other

accused running the said call centre during night hours with a large number of tele-callers and they were indulged in large scale financial fraud. Basing on the said complaint, the present crime has been registered for the above said offences.

4. Learned counsel for the petitioners submits that the petitioners have not committed any offence and they were falsely implicated in the present crime. There are no specific allegations against the petitioners to attract the ingredients of Sections 318(4), 319(2) and 338 read with Section 3(5) of BNS and Section 66(D) of the IT Act. The main allegations are levelled against Accused Nos.1 to 3, who established the above said call centre and the petitioners are only the tele-callers in the said call centre and that they have not received any amount from the victims or from Accused Nos.1 to 3. He further submits that the petitioners were arrested on 05.03.2025 and since then they were in judicial custody. The material part of investigation is completed and further custodial interrogation is not required except filing of charge sheet. The petitioners are not having any criminal antecedents. He further submits that the petitioners are ready and willing to cooperate with the investigation and also the

conditions which are going to be imposed by this Court. He further submits that Accused No.3 was already enlarged on bail.

5. Per contra, learned Additional Public Prosecutor submits that the petitioners have committed grave offence and investigation is under progress and at this stage, if the petitioners are granted bail, there is every chance of influencing the witnesses and interfering with the investigation. Therefore, the petitioners are 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 subject call centre was established by other accused and the petitioners are only tele-callers in the said centre. The petitioners were arrested on 05.03.2025 and since then they were in judicial custody. According to the learned Additional Public Prosecutor, 16 witnesses were examined and the petitioners are not having any criminal antecedents.

7. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant bail to the petitioners subject to the following conditions:

(1) The petitioners/A11 to A19 are enlarged on bail on executing a personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousands only) each with two sureties for a like sum each to the satisfaction of the IV Additional Chief Judicial Magistrate, Hydeabad.

(2) The petitioners/A11 to A19 shall appear before the concerned SHO at 11:00 A.M. on every Monday for a period of eight (8) weeks or till filing of charge sheet whichever is earlier, for the purpose of investigation and thereafter as and when required.

(3) After release, the petitioners/A11 to A19 shall not interfere with the investigation and also influence the witnesses.

(4) The petitioners/A11 to A19 shall abide by the conditions stipulated in Section 437(3) of Cr.P.C. (presently, Section 480(3) of the BNSS).

8. Accordingly, the Criminal Petition is allowed.

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

J.SREENIVAS RAO, J

Date: 23.04.2025
ES