

The Hon'ble Sri Justice J.Sreenivas Rao

Criminal Petition No.5074 of 2025

Order:

This Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhitha, 2023 (for short 'BNSS') seeking anticipatory bail to the petitioner/accused No.7 in Cr.No.28 of 2025 of CCS, Detective Department, Hyderabad, registered for the offences punishable under Sections 316(2) and 318(4) r/w Section 61(2) of Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS') and Section 5 of the Telangana Protection of Depositors of Financial Establishments Act, 1999 (for short 'TSPDFE Act').

2. The case of the prosecution, in brief, is that the *de facto* complainant and three others lodged a complaint with the police stating that accused No.1 in the aforesaid crime being the CEO of M/s. Prakruthi Entrepreneur Private Limited has indulged in financial fraud and fund diversion to a tune of Rs.18 crores collected from the complainants and others

towards security deposits on the pretext of providing good profits by promoting various household products and cheated them. Basing on the said complaint, the present case was registered against the accused.

3. Heard Mr. B.Venkat, learned counsel for the petitioner/accused No.7 and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent/State.

4. Learned counsel for petitioner submits that the petitioner has not committed any offence and she was falsely implicated in the above said crime. He further submits that there was no allegation against the petitioner to attract the ingredients of Sections 316(2) and 318(4) r/w Section 61(2) of BNS and Section 5 of TSPDFE Act and the police implicated the petitioner as accused in the present crime only on the ground that she is the sister of accused No.6 and she is no way concerned with the said company and is not involved in any other offences.

5. Per contra, learned Additional Public Prosecutor submits that the petitioner promoted the company *namely* M/s. Prakruthi Entrepreneur Private Limited and the petitioner and other accused have committed grave offence by collecting huge amounts from the innocent victims and the investigation is under progress and if the petitioner is granted anticipatory bail at this stage, there is every chance of his influencing the witnesses and interfering with the investigation and prays to dismiss the criminal petition.

6. Per contra, learned counsel for the petitioner submits that the petitioner is ready and willing to cooperate with the investigation and abide by the conditions, which are going to be imposed by this Court.

7. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that there is no specific allegation against the petitioner in the complaint. Learned Additional Public Prosecutor has not placed any material before this Court to

show that the petitioner has any role in the activities of M/s. Prakruthi Entrepreneur Private Limited except stating that she is the sister of accused No.6.

8. Taking into consideration the facts and circumstances of the case, this Court is of the considered view that petitioner/accused No.7 is entitled for grant of anticipatory bail, subject to the following conditions:

(i) The petitioner/accused No.7 shall surrender before the Station House Officer, CCS, Detective Department, Hyderabad on or before 26.04.2025, and on such surrender, the said Station House Officer shall release the petitioner/accused No.7 on bail on her executing a personal bond for Rs.50,000/- (Rupees Fifty Thousand only) with two sureties, for the like sum each.

(ii) The petitioner/accused No.7 shall appear before the concerned Station House Officer 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.

(iii) The petitioner/accused No.7 shall furnish information sought by the Investigating Officer during the course of investigation and she shall not interfere with the investigation and shall not influence the witnesses.

(iv) The petitioner/accused No.7 shall abide by the other conditions stipulated in Section 482 (2) of BNSS and co-operate with the Investigating Officer in investigating the case.

9. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

Date: 21.04.2025
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J.SREENIVAS RAO, J