

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.5287 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.2 in Crime No.28 of 2025 on the file of the Central Crime Station, Hyderabad, registered for the offences punishable under Sections 316(2) and 318(4) r/w 61(2) of BNS and Section 5 of TSPDFE Act.

2. The case of prosecution is that on 10.03.2025, based on a complaint regarding a fraud of Rs.18 crores involving Prakruthi Entrepreneurs Private Limited., its CEO Suluru Ram Prasad, directors, and others, who allegedly collected deposits under false promises and diverted funds, the Station House Officer, upon endorsement by the Deputy Commissioner of Police, registered FIR No.28 of 2025 against the petitioner.

3. Heard Mr.Amanacharla Gopal Rao, learned counsel representing Mr.Amanacharla Satish Babu, learned counsel for the

petitioner and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent No.1-State.

4. Learned counsel for the petitioner submitted that petitioner has not committed alleged offence and he was falsely implicated in the above crime. He further submitted that even according to the allegations made in the complaint, petitioner is the Director of the Prakruthi Entrepreneurs Private Limited (herein after referred to as 'the company') and the complainant entered into franchise agreement with the said company. Merely because of the company failed to repay the amount paid by the complainant, he implicated the petitioner in the present crime and the ingredients of the alleged offences are not attracted against the petitioner and the allegations levelled in the complaint are purely civil in nature. He further submitted that similar allegations are levelled against accused No.5, as they were against petitioner/accused No.2 and they approached this Court and filed CrI.P.No.3803 of 2025, to call for the records relating to and connected with FIR No.28 of 2025, dated 10.03.2025 of Central Crime Station, Hyderabad, pending on the file of the XII Additional Chief Metropolitan Magistrate,

Hyderabad and this Court directed the Police concerned to not to take any coercive action against accused No.5, except in accordance with law. He further submitted that the petitioner is ready and willing to cooperate with the investigation and also abide by the conditions, which are going to be imposed by this Court, and hence, prayed for grant of anticipatory bail.

5. *Per contra*, the learned Additional Public Prosecutor submitted that the petitioner, along with the other accused, has committed a grave offence, involving significant financial irregularities and investigation is under progress and at this stage if the petitioner is enlarged on anticipatory bail, there is every chance to interfere with the investigation and also 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 is the Director of the Prakruthi Entrepreneurs Private Limited. Even according to the allegations made in the complaint by the complainant, he entered into franchise agreement with the said company and he paid Rs.2.4

lakhs and when the said company failed to repay the said amount, he implicated the petitioner in the present crime. The record further discloses that accused No.5, against whom the very same allegations have been made as against the petitioner/Accused No.2, had approached this Court and filed CrI.P.No.3803 of 2025, and this Court directed the Police not to take any coercive action against Accused No.5, except in accordance with law. Even according to the learned Additional Public Prosecutor, petitioner is not having any other criminal antecedents.

7. Taking into consideration the said facts, this Court is inclined to grant anticipatory bail to the petitioner/accused No.2 subject to the following conditions.

1. The petitioner/accused No.2 shall surrender before the Station House Officer of Central Crime Station, Hyderabad, on or before 07.05.2025, and on such surrender, the said Station House Officer shall release the petitioner/accused No.2 on bail on his executing a personal bond for Rs.1,00,000/- (Rupees one lakh only) with two sureties, for the like sum each.
2. After release, the petitioner/accused No.2 shall appear before the concerned SHO at 11.00 A.M. on every

Saturday, 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 petitioner/accused No.2 shall not influence the witnesses or interfere with the investigation.
 4. The petitioner/accused No.2 shall abide by the other conditions stipulated in Section 482 (2) Bharatiya Nagarik Suraksha Sanhitha, 2023 and co-operate with the Investigating Officer in investigating the case.
8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

JUSTICE J.SREENIVAS RAO

Date: 02.05.2025
vsl