

The Hon'ble Sri Justice J.Sreenivas Rao

Criminal Petition No.5286 of 2025

Order:

This Criminal Petition is filed by the petitioner/accused No.1 under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) seeking regular bail in connection with Crime No.41 of 2025 on the file of Station House Officer, Charminar Police Station, Hyderabad, registered for the offences punishable under Sections 316(2), 316(4), 318(4) and 351(2) of Bharatiya Nyaya Sanhitha (BNS) and Section 25(1)(A) and 29 of the Indian Arms Act, 1959.

2. The brief facts of the case are that on 09.03.2025 at about 20:00 hours, the Inspector of Police, Charminar Police Station, received a complaint from the complainant stating that the petitioner is an employee of his business enterprise *viz.*, M/s. Rajlaxmi Textiles (India) Private Limited located at Rikabgunj, Madina Circle, Hyderabad, and he misappropriated an amount of Rs.70,00,000/- by manipulating sales data from

January, 2024 and diverted the funds to his friends and subsequently, got the same transferred to his account and when questioned, the petitioner threatened the complainant with dire consequences and caused significant financial loss and mental distress to the complainant. Based on the said complaint, the aforesaid crime was registered against the accused.

3. Heard Sri K.Sainath, learned counsel representing Sri P.Rana Kamal San, learned counsel for the petitioner/accused No.1 and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent/State.

4. Learned counsel for the petitioner submits that the petitioner/accused No.1 has not committed any offence and he was falsely implicated in the present crime and even according to the allegations levelled in the complaint, the ingredients of Sections 25(1)(A) and 29 of the Indian Arms Act are not attracted against the petitioner/accused No.1 and all other

offences alleged against the petitioner/accused No.1 are punishable with imprisonment of less than seven years. He further submits that the petitioner/accused No.1 was arrested on 12.03.2025 and since then he is in judicial custody and the entire investigation is completed except filing of charge sheet and the petitioner is not having any criminal antecedents and the petitioner be granted bail as he is ready and willing to cooperate with the investigation and also abide by the conditions that may be imposed by this Court.

5. Per contra, learned Additional Public Prosecutor opposed the bail petition and submits that the petitioner has committed grave offence and the investigation is under progress and if the petitioner is granted bail at this stage, he will interfere with the investigation and influence the witnesses and prayed to dismiss the criminal petition.

6. Having considered the rival submissions made by learned counsel for the parties and after perusal of the material

available on record, it reveals that the petitioner was arrested on 12.03.2025 and since then, he is in judicial custody and even according to the learned Additional Public Prosecutor, the petitioner is not having any criminal antecedents and the investigation officer has already conducted custodial interrogation by obtaining necessary permission from the competent court and except the offences under Sections 25(1)(A) and 29 of Indian Arms Act, all other offences levelled against the petitioner/accused No.1 are punishable with less than seven years imprisonment.

7. In view of the same, this Court is inclined to release the petitioner on bail subject to the following conditions:

- (i) The petitioner/accused No.1 shall execute a personal bond for a sum of Rs.50,000/-(Rupees Fifty Thousand only) each with two sureties for a like sum each to the satisfaction of Chief Judicial Magistrate, Hyderabad.
- (ii) On such release, the petitioner/accused No.1 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.1 shall abide by the conditions stipulated in Section 483 (3) of BNSS.

9. Accordingly, this Criminal Petition is allowed.

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

Date: 22.04.2025
LUR

J.SREENIVAS RAO, J