

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.5400 of 2025

ORDER:

This Criminal Petition is filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) by the petitioner/accused seeking bail in Crime No.112 of 2019 of EOW Team-I Police Station, Central Crime Station, DD, Hyderabad, registered for the offences punishable under Sections 406 and 420 of the Indian Penal Code, 1860, Sections 3, 4, 5 and 6 of the Prize Chits and Money Circulation Schemes (Banning) Act, 1978 and Section 5 of the Telangana Protection of Depositors of Financial Establishments Act, 1999.

2. The case of prosecution in brief is that on 23.05.2019, the *de facto* complainant lodged a complaint stating that the petitioner approached him to invest some amount in business, in return, he was promised to get huge profits. Believing his words, the *de facto* complainant invested Rs.17,00,000/- to the petitioner. Likewise, the petitioner also approached the friends of the *de facto* complainant and asked them to invest huge amounts in MLM business stating that they will get huge profits. Nearly 70 persons invested about Rs.80 to Rs.90 lakhs in MLM

business of the petitioner. For few days, the petitioner shows profits in the business and later he went underground by dubbing innocent people in the name of Perfect Capital Firm. Hence, the complaint.

3. Heard Mr. Lakshmi Kanth, learned counsel for the petitioner, and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent State.

4. Learned counsel for the petitioner submitted that the petitioner has not committed the offence and he was falsely implicated in the present crime. Even according to the allegations made in the complaint, the ingredients of Sections 3, 4, 5 and 6 of the Prize Chits and Money Circulation Schemes (Banning) Act, 1978 and Section 5 of the Telangana Protection of Depositors of Financial Establishments Act, 1999, are not attracted against the petitioner, and the other offences levelled against the petitioner are punishable with an imprisonment of less than seven years. The petitioner was arrested on 07.03.2025 and since then, he has been in judicial custody. He further submitted that the material part of the investigation is completed, except filing of charge sheet. The petitioner is not having any criminal antecedents. The petitioner is ready to

cooperate with the investigation and also abide by the conditions, which are going to be imposed by this Court. Hence, the petitioner is entitled for grant of bail.

5. *Per contra*, learned Additional Public Prosecutor submitted that the petitioner has committed a grave offence. The Investigating Officer after conducting investigation, filed charge sheet on 03.04.2025 before the Sessions Judge at Nampally, Hyderabad and awaited for C.C. number. He further submitted that the Central Government issued Look-Out Circular against the petitioner and the same is pending. Hence, the petitioner has to deposit his passport before the concerned Court and not to leave India.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that the Investigating Officer after conducting investigation filed charge sheet on 03.04.2025 before the competent Court. Taking into consideration the facts and circumstances of the case and in view of Look-Out Circular issued against the petitioner is pending, this Court is inclined to grant bail to the petitioner/accused, subject to the following conditions:

- (i) The petitioner/accused shall execute a personal bond for a sum of Rs.50,000/-(Rupees Fifty Thousand only) with two sureties for a like sum each to the satisfaction of the XII Additional Chief Judicial Magistrate at Nampally, Hyderabad.
- (ii) The petitioner/accused shall appear before the concerned Court on each and every adjournment after receiving summons,
- (iii) The petitioner/accused shall deposit his passport before the XII Additional Chief Judicial Magistrate at Nampally, Hyderabad.
- (iv) The petitioner/accused shall not leave the India without permission of the Court.
- (iv) After release, if the petitioner/accused is involved in similar offence, the respondent-State is entitled to file an application seeking cancellation of the bail granted by this Court in his favour.
- (v) The petitioner/accused shall abide by the conditions stipulated in Section 480 (3) of BNSS.

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

J.SREENIVAS RAO, J

Date: 24.04.2025

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