

THE HON'BLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No. 6359 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 petitioners/accused Nos.4 & 6 in Crime No.226 of 2013 on the file of Balanagar Police Station, Cyberabad District registered for the offences punishable under Sections 420, 406 and 403, 417, 418, 465, 468, 471, 409 and 120 (B) of the Indian Penal Code, (for short "IPC"), 1860.

2. The case of the prosecution is that one Sri S. Prafulla Kumar, Chief Manager, State Bank of India, Balanagar Branch submitted a report to the police on 07.05.2013 stating interalia that one M. Anjaneyulu and his wife, M. Rita who are running a firm in the name and style M/s. Adarsh Communications limited, stated to have approached State Bank of India, Small and Medium Enterprises (SME) Branch, Balanagar requested for financial assistance to meet their working capital requirement. It is said that the bank initially sanctioned a sum of Rs.15.00 crores vide sanction letter dated 04.06.2010 by hypothecating entire mobile handsets of various brands by obtaining immovable properties at Hyderabad by collateral security. It is said that on the request of M. Anjaneyulu and his wife, loan was enhanced to Rs.20.00 crores towards cash

credit limit *vide* sanction letter dated 13.12.2010 on furnishing security of mortgage of enhanced at the request of M. Anjaneyulu and his wife to Rs.27.00 crores from Rs.20.00 crores *vide* sanction letter dated 24.12.2011. It is said that the borrowers committed default in paying the loan amount and they filed Insolvency petition No.7 of 2013 to adjudge them as insolvents. Thus they have cheated the bank. The police on the basis of the said report, registered a case in crime No.226 of 2013.

3. Heard Sri A. Prabhakar Rao, learned counsel for the petitioners/accused Nos.4 and 6 and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor for respondent -State.

4. Learned counsel for the petitioners submitted that the petitioners have not committed offence and they are falsely implicated in the present crime and ingredients under Section 409 of IPC does not attract against the petitioners and for the other offences that are alleged against the petitioners will subject to imprisonment below seven (07) years. It is further contended that the petitioner No.1 is Chief Manager of State Bank of India, petitioner No.2 is Assistant General Manager of State Bank of India and they are not having any criminal antecedents and petitioners have never misappropriated any amounts with the collusion of the accused Nos.1 and 2. It is further contended that the petitioners are ready and willing to cooperate with the investigation and also ready to abide by the conditions, which are

going to be imposed by this Court. Hence, the petitioners may be enlarged on anticipatory bail.

5. *Per contra*, the learned Additional Public Prosecutor submitted that petitioners along with the other accused misappropriated huge amounts of the public money and have committed grave offence, investigation is under progress and if the petitioner granted anticipatory bail at this stage, she may tamper the evidence and may influence the witnesses, and hence, prayed to dismiss the petition.

6. Having considering the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that the petitioner No.1/accused No.4 is working as Chief Manager of State Bank of India and petitioner No.2/accused No.6 is working as Assistant General Manager of State Bank of India. Even according to the learned Additional Public Prosecutor, accused Nos.1 and 2 were arrested on 03.05.2024 and has already examined 64 witnesses and petitioners are not having any criminal antecedents.

7. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners/accused Nos.4 & 6 with the following conditions:

- (i) Petitioners/accused Nos.4 and 6 are directed to surrender before the S.H.O., Balanagar Police Station, Cyberabad District on or before 13.05.2025 and on such surrender, they shall be enlarged on bail on executing a personal bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) each, with two sureties for a like sum to his satisfaction.
- (ii) On such release, petitioners/accused Nos.4 and 6 shall appear before the S.H.O., Balanagar Police Station, Cyberabad District on every Tuesday and Sunday at 11-00 a.m. for a period of eight (8) weeks for the purpose of investigation and thereafter as and when required.
- (iii) Petitioners/accused Nos.4 and 6 shall abide by the conditions stipulated under Section 482(2) of the BNSS and shall cooperate with the Investigating Officer in the investigation.
- (iv) Petitioners/accused Nos.4 and 6 shall surrender their passport before the concerned Court and without obtaining permission from the concerned Court they are not entitled to travel outside the India.
- (v) Petitioners/accused Nos.4 and 6 shall not interfere with the investigation or influence the witnesses.
- (vi) If the petitioners/accused Nos.4 and 6 violates any conditions as mentioned *supra*, the respondent-State can file an appropriate

application to cancel the anticipatory bail of the
petitioners/accused Nos.4 and 6.

8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand
closed.

J. SREENIVAS RAO, J

Date: 07.05.2025
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