

THE HONOURABLE SRI JUSTICE NARSING RAO NANDIKONDA

CRIMINAL PETITION No.6436 OF 2025

O R D E R:

This Criminal Petition is filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') by the petitioner/accused No.12 seeking bail in Crime No.109 of 2024 of PS CID, TG, Hyderabad, registered for the offences punishable under Sections 420, 370(3), 406, 409, 419, 467, 471, 120-B of Indian Penal Code and Section 24(1)(b)(g) of Emigration Act, 1983.

2. Heard learned counsel for the petitioner as well as Sri Jitender Rao Veeramalla, learned Additional Public Prosecutor appearing for the respondent-State. Perused the record.

3. The case of the prosecution, in brief, is that petitioner herein along with accused Nos.2 and 3 were running a firm in the name of "M/s.Egel Expert Immigration Private Limited" in conspiracy with Abroad Study Plan Consultancy. They were recruiting the victims with fake employers only to earn easy and hefty money and those victims are compelled to work like delivery boys and in their daily earnings the

commissions are extorted by taking advantage of their miserable conditions and in some cases, the victims are forced to do work in shops of the accused Nos.2 and 4 at Malta without any payments. The victims are sent only to exploit them of their money and labour. It is further contended that the petitioner has also committed the same to LWs.12 and 15 and by holding the Intermediate and SSC certificates of the victims and threatening them with dire consequences.

4. Learned counsel for the petitioner/accused No.12 has contended that the petitioner is innocent of the offences and that the petitioner is only processing visa's and that he has nothing to do with any allegations which are made against him and that he is in the said business since more than eight years. It is further contended that there is no role being played by the petitioner in processing or refusing any kind of visa's of LW.15 and that LW.15 is unconnected to the complainant and both the victims have never travelled abroad and as such, the question of attracting Section 373 of IPC does not arise and there is no ailment of cheating nor

any conspiracy or forging of any document being done by the petitioner. He further contended that the petitioner/accused No.12 was arrested and is in judicial custody since 07.04.2025 and the accused No.1 was already enlarged on bail and the petitioner herein was also granted anticipatory bail in Crime No.40 of 2024 by this Court in respect of similar allegations made against the petitioner.

5. The learned Additional Public Prosecutor has opposed the petition and contended that there are serious allegations leveled against the petitioner and as the petitioner is already involved in similar offences in various crimes mentioned below i.e.,

- 1) Crime No.40 of 2024 under section 24(1)(b)(g) of Emigration Act, 1983,
- 2) Crime No.168 of 2024 under Section 24(1)(b)(g) of Emigration Act, 1983,
- 3) Crime No.233 of 2021 under Sections 406, 420, 504, 506 of IPC of P.S Tukaramgate,
- 4) Crime No.257 of 2021 under Sections 384, 406, 420, 504, 506 of IPC of P.S Tukaramgate

6. On perusal of remand report of the petitioner herein, it shows that the prosecution has already examined as many as 22 witnesses i.e., LWs.1 to 22 and considering the said circumstances and the stage of investigation, this Court is of the considered opinion that the petitioner/accused No.12 can be enlarged on bail subject to the following conditions:

- (i) The petitioner/accused No.12 shall be released on bail on executing a personal bond for a sum of Rs.1,00,000/-(Rupees One Lakh only) with two sureties for a like sum each to the satisfaction of VI Additional Chief Judicial Magistrate, Nampally, Hyderabad.
- (ii) After release, the petitioner/accused No.12 shall appear before the concerned S.H.O. in between 11.00 a.m to 5.00 p.m. on first and third Sunday of every month for a period of eight (8) weeks or till filing of the charge sheet, whichever is earlier, for the purpose of investigation, and thereafter, as and when required.
- (iii) After release, if the petitioner/accused No.12 indulges in any offence, the respondent-State is entitled to file an application seeking cancellation of the bail granted by this Court.

(iv) The petitioner/accused No.12 abide by the other conditions stipulated in Section 480(3) of BNSS and shall co-operate with the investigation.

7. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications pending, if any, shall stand closed.

Date: 21.05.2025
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NARSING RAO NANDIKONDA, J

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