THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

CRIMINAL PETITION No.6674 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 C.C.No.3387 of 2025 in Crime No.30 of 2024 on the file of the INSP ADMIN (DD), Hyderabad, registered for the offence punishable under Section 406, 420 read with 34 of Indian Penal Code (IPC).

2. Heard Sri Viplav Simha Reddy, learned counsel for the petitioner/accused No.1 and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent/State.

3. The case of the prosecution is that on 30.01.2024 at 17.30 hours de-facto complainant filed a complaint stating that the petitioner/accused No.1 offered paid training classes in a youtube channel to the unemployed youth on building a career in real estate sector in which the defacto complainant enrolled in January 2021 and completed the course. The petitioner is also the owner of Jyoshika Investor Club Pvt. Ltd. Company and the modus operandi of the petitioner involved luring unemployed youth into training classes and convincing them to invest in lands with promises of minimum 200% appreciation in one year. The defacto

complainant invested Rs.35 Lakhs by taking from his family members and also personally invested additional Rs.13 Lakhs in cash in Jyoshika Investor Club Pvt. Ltd. Company. Consequently, a total sum of Rs.48 Lakhs was paid to the petitioners investment during May and June 2022. Later on the de-facto complainant discovered that around 25 members were defrauded on false promises made by the petitioner and the petitioner has been avoiding him making false promises regarding the refund of the investment. Basing on the same, Crime No.30 of 2024 was registered against the petitioner.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence and he was falsely implicated in the aforesaid crime. He further submits that even according to the allegations made in the complaint, ingredients under Section 406, 420 of IPC are not attracted against the petitioner. He further submitted that the petitioner approached learned XII Additional Chief Judicial Magistrate, Hyderabad and filed Criminal Miscellaneous Petition No.1669 of 2024 for grant of regular bail and the said court granted bail on 12.04.2024. Subsequently, the respondent-state filed an application vide Crl.M.P.No.894 of 2024 seeking cancellation of the bail on the alleged ground that the petitioner violated the conditions imposed

by the said Court, by attempting to leave the country. Subsequently, the petitioner was arrested on 26.03.2025 and since then he was in judicial custody. He further submits that the petitioner is not aware of the condition imposed by the Court i.e, not to leave the country and the petitioner is ready and willing to cooperate with the investigation and also ready to appear before concerned Court on each and every adjournment and also abide by the conditions that may be imposed by this Court.

5. Per contra, learned Additional Public Prosecutor submits that the petitioner has committed grave offence and has violated the condition imposed by the learned XII Additional Chief Judicial Magistrate, Hyderabad and the said Court has rightly cancelled the bail on 13.03.2025 by giving reasons. He further submits that after conducting investigation, charge sheet has been filed and the same was numbered as CC.No.3387 of 2025 and the same is pending on the file of learned XII Additional Chief Judicial Magistrate, Hyderabad. If the petitioner is enlarged on bail he will try to leave the country and will not cooperate for the disposal of the said case. Hence, he prays to dismiss this criminal petition.

6. Having considered the rival submissions made by the respective parties and on perusal of the material available on record, it reveals that the petitioner initially filed application vide

Crl.M.P.No.1669 of 2024 for grant of regular bail before learned XII Additional Chief Judicial Magistrate, Hyderabad and the same was allowed on 12.04.2024 and subsequently, the bail was cancelled on 13.03.2025 vide Crl.M.P.No.894 of 2024 on the ground that the petitioner violated the condition imposed by the said court and the petitioner was arrested on 26.03.2025 and since then he was in judicial custody. The record further reveals that the investigating officer after conducting investigation filed charge sheet and the same was numbered as CC.No.3387 of 2025 and the said case is pending on the file of learned XII Additional Chief Judicial Magistrate, Hyderabad.

7. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner/accused No.1 subject to the following conditions:

> (i) The petitioner/accused No.1 shall be enlarged on bail on his 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 learned XII Additional Chief Judicial Magistrate, Hyderabad.
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> (ii) On such release, the petitioner/accused No.1 shall appear before the learned XII Additional Chief Judicial Magistrate, Hyderabad in

C.C.No.3387 of 2025 on each and every adjournment.

(iii) The petitioner/accused No.1 shall deposit his passport before learned XII Additional Chief Judicial Magistrate, Hyderabad and he shall not leave the country without the permission of the learned Magistrate.

(iv) The petitioner/accused No.1 shall abide by the conditions stipulated in Section 483 (3) of BNSS.

8. Accordingly, the Criminal Petition is allowed.

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

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J.SREENIVAS RAO, J

Date: 11.06.2025

PSW