

THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

CRIMINAL PETITION No.6687 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 Crime No.79 of 2024 on the file of Central Crime Station, Hyderabad, registered for the offence punishable under Section 406, 420 read with 120-B of Indian Penal Code (IPC) and Section 5 of The Telangana Protection of Depositors of Financial Establishments Act, 1999 (TSPDFE Act).

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 02.03.2024 at 20.30 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 in which the de-facto complainant enrolled and attended the course for three days for which she paid Rs.50,000/-. The petitioner is also the owner of Jyoshika Investor Club Pvt. Ltd. Company and the petitioner explained an investment plan to the defacto complainant where he would contribute 50% of required funds with the rest coming from

co-investors and the defacto complainant trusting the petitioner invested a total sum of Rs.84 Lakhs. Later on the de-facto complainant discovered that approximately 40 members were defrauded on false promises made by the petitioner. Basing on the same, Crime No.79 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 read with 120-B of Indian Penal Code (IPC) and Section 5 of TSPDFE Act are not attracted against the petitioner. He further submits that basing on the complaint lodged by the defacto complainant, Crime No.79 of 2024 was registered against the petitioner and the petitioner was arrested. Thereby, the petitioner approached learned Sessions Judge, Hyderabad by filing CrI.M.P.No.2086 of 2024 and on 17.05.2024 the bail was granted. Thereafter, the respondent-state filed CrI.M.P.No.106 of 2025 seeking cancellation of the said bail on the alleged ground that the petitioner violated the conditions imposed by the learned Sessions Judge, Hyderabad in the order dated 17.05.2024 by trying to leave the country without permission of the said Court and the petitioner was remanded to judicial custody on

27.03.2025 on execution of NBW 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 Sessions Judge, Hyderabad and the said Court has rightly cancelled the bail. He further submits that the investigation is under progress and 41 witnesses were already examined, however, the charge sheet was not filed. 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 is accused No.1 in Crime No.79 of 2024 and the petitioner approached learned Sessions Judge, Hyderabad by filing CrI.M.P.No.2086 of 2024 and on 17.05.2024 the bail was granted. Thereafter, the respondent-state

filed CrI.M.P.No.106 of 2025 seeking cancellation of the said bail on the alleged ground that the petitioner violated the conditions imposed by the learned Sessions Judge, Hyderabad in the order dated 17.05.2024 by trying to leave the country without permission of the said Court and the petitioner was remanded to judicial custody on 27.03.2025 and since then he was in judicial custody and according to the learned Additional Public Prosecutor, the investigation is under progress.

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.

(ii) On such release, the petitioner/accused No.1 shall appear before the concerned investigating 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 not leave the country without the permission of the learned XII Additional Chief Judicial Magistrate, Hyderabad.

(iv) The petitioner/accused No.1 shall not interfere with the investigation or influence the prosecution witness to investigation.

(v) If the petitioner/accused No.1 violates any such condition the respondent-state is at liberty to file application seeking cancellation of bail granted.

(vi) 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.

J.SREENIVAS RAO, J

Date: 11.06.2025

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