

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.6703 of 2025

ORDER:

This Criminal Petition is filed under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhitha, 2023 (for short 'BNSS') seeking bail to the petitioner/accused No.2 in Crime No.54 of 2025 on the file of the P.S.Karepalli, Khammam District, registered for the offences punishable under Section 318(4) r/w 3(5) of the Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS') and Section 5 of the Telangana State Protection of Depositors of Financial Establishment Act, 1999 (for short 'TSPDFE Act').

2. The case of the prosecution in brief is that accused Nos.1 to 4 lured the de-facto complainant with the promise of high returns by inducing her to invest in a scheme called 'Metaplus'. They falsely represented that an investment of Rs.1 lakh would yield Rs.5 lakhs in return. Believing their misrepresentations, the complainant transferred Rs.16 lakhs through bank transactions and handed over Rs.9 lakhs in cash, totaling Rs.25 lakhs. The accused assured him of a daily return of Rs.25,000 for 300 days, amounting to 1% per day. However, the complainant has not received any returns to date. Despite repeated

requests, the accused kept postponing the payments with various excuses, thereby deliberately deceiving him. The complainant subsequently realized that he had been cheated by accused Nos.1 to 4. Basing on the same a case was registered in Crime No.54 of 2025.

3. Heard Mr.K.Ujwal Babu, learned counsel representing Mr.M.V.Hanumantha Rao, learned counsel for the petitioner and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioner submitted that the petitioner has not committed the alleged offence and she was falsely implicated in the present crime. Even according to the allegations made in the complaint, petitioner has not received any amount from the de-facto complainant and there are no specific allegations against the petitioner to attract section 318 r/w 3(5) of BNS and Section 5 of TSPDFE Act. He further submitted that the petitioner was arrested on 02.05.2025 and since then she is in judicial custody. He further submitted that the investigation in respect of the petitioner is completed. He further submitted that the petitioner is a woman and she is having small children and she is not having any other criminal antecedents and she is ready and willing to abide by the conditions, which are going to be

imposed by this Court and she will cooperate with the investigation. Hence, the petitioner may be enlarged on bail.

5. *Per contra*, learned Additional Public Prosecutor submitted that petitioner has committed grave offence and the investigation is under progress and if the petitioner is released on bail at this stage, she may tamper with the evidence and may threaten the witnesses, and hence, prayed to dismiss the petition.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that the petitioner was arrested on 02.05.2025 and since then she is in judicial custody. Even according to the learned counsel for the petitioner, petitioner is a woman and she is having small children. Even according to the learned Additional Public Prosecutor, petitioner is not having any other criminal antecedents and 7 witnesses were already examined.

7. Taking into consideration the above facts and circumstances of the case, this Court is inclined to grant bail to the petitioner/accused No.2, subject to the following conditions:

(i) The petitioner/accused No.2 shall execute a personal bond for a sum of Rs.50,000/-(Rupees fifty Thousand only) each with two sureties for a like sum each to the satisfaction of the III Additional Judicial First Class Magistrate, Khammam .

(ii) After release, the petitioner/accused No.2 shall appear before the concerned SHO at 11.00 A.M. on every Monday, for a period of six (6) weeks or till filing of charge sheet whichever is earlier, for the purpose of investigation and thereafter, as and when required.

(iii) After release, if the petitioner/accused No.2 indulges in similar offence, the respondent-State is entitled to file an application seeking cancellation of the bail granted by this Court in her favour.

iv) The petitioner/accused No.2 shall abide by the conditions stipulated in Section 480 (3) of BNSS.

8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

JUSTICE J.SREENIVAS RAO

Date: 10.06.2025
vsl