

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No. 6739 of 2025

ORDER:

This Criminal Petition is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) by the petitioners/accused Nos.1 and 4 seeking anticipatory bail in the event of their arrest in Crime No.221 of 2025 of Matwada Police Station, Warangal District, registered for the offence punishable under Section 108 read with 62 read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 (BNS).

2. The case of prosecution in brief is that the *de facto* complainant lodged a complaint on 25.05.2025 stating that his brother, namely Sai Teja, had entered into an agreement to purchase the partnership firm Shree Agarwal Enterprises, which dealt in electronic goods under brands like Gold Medal and Legrand, from Mohammed Rahim, Mirza Haseeb Baig, Manish Kumar Agarwal, and sleeping partner Khaja Hafeezuddin, for a total amount of Rs. 5.2 crores. On 08.04.2024, Sai Teja paid Rs.20 lakhs through bank transfer and agreed to clear existing debts of Rs.3.58 crores, with the remaining Rs.1.42 crores to be paid within 120 days. The

petitioners and other accused falsely assured his brother that the business had stock worth Rs.2.35 crores and Rs.2 crores in receivables, and that they would help run the business for three months during the transition. However, after the takeover, Sai Teja discovered that the stock was only worth Rs.1 crore and that there were additional hidden liabilities of Rs.2.16 crores, including over Rs. 10.5 lakhs in credit card dues. When Sai Teja confronted the petitioners and other accused, they assured him of support and promised a business investment loan of Rs.1.75 crores. At their insistence, Sai Teja mortgaged his sister Neerati Revathi's property on 27.05.2024, but the loan amount was never disbursed. Later, on 16.05.2025, during a meeting at Ratna Hotel, the petitioners and other accused refused to resolve the matter and threatened him and his brother Sai Teja with harm, if they pursued the issue further. On 19.05.2025, Sai Teja visited his house in severe pain and revealed that he had consumed insecticide near the Autonagar canal, unable to bear the mental stress caused by the fraud. He was rushed to MGM Hospital and later to Rohini Hospital, where he succumbed. Hence, the complaint.

3. Heard Mr. G. Anil Kiran Kumar, learned counsel for the petitioners, and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent State.

4. Learned counsel for the petitioners submitted that the petitioners have not committed the alleged offence and they were falsely implicated in the present crime. There are no specific allegations levelled against the petitioners that they instigated the deceased to commit suicide. The allegations levelled in the complaint that the petitioners have cheated the deceased and due to the same, he consumed poison. Even according to allegations made in the complaint, the deceased had already lodged a complaint and basing on his complaint, Crime No.342 of 2024 was registered on 26.09.2021 for the offences under Sections 420, 403 and 406 read with 34 of the Indian Penal Code. Hence, the ingredients of Section 108 of the BNS are not attracted against the petitioners. He further submitted accused No.3 approached the Court of Principal Sessions Judge, Warangal, for grant of anticipatory bail and the learned Principal Sessions Judge, Warangal, has granted

anticipatory bail *vide* CrI.M.P.No.199 of 2025 dated 06.06.2025 and the petitioners are also entitled for the same. The petitioners are ready and willing to cooperate with the investigation and also comply with the conditions, which are going to be imposed by this Court. Hence, the petitioners may be granted anticipatory bail.

5. *Per contra*, learned Additional Public Prosecutor submitted that the petitioners have committed grave offence and the investigation is under progress. At this stage, if the petitioners granted anticipatory bail, they will interfere with the investigation and influence the witnesses. Hence, the petitioners are not entitled to seek anticipatory bail.

6. Having considered the rival submissions made by the respective parties and after perusal the material available on record, it reveals that learned Principal Sessions Judge, Warangal, has granted anticipatory bail in favour of accused No.3 in this crime. Even according to the learned Additional Public Prosecutor, eight witnesses were examined.

7. Taking into consideration the facts and circumstances case, this Court is inclined to grant anticipatory bail to the petitioners/accused Nos.1 and 4 with the following conditions:

- (i) The petitioners/accused Nos.1 and 4 are directed to surrender before the Station House Officer, Matwada Police Station, Warangal District on or before 23.06.2025 and on such surrender, they shall be enlarged on bail on their executing a personal bond for a sum of Rs.50,000/-(Rupees fifty thousand only) each with two sureties for a like sum each.
- (ii) On such release, the petitioners/accused Nos.1 and 4 shall appear before the Station House Officer, Matwada Police Station, Warangal, on every Monday at 11:00 a.m. for a period of eight (8) weeks or till filing of the charge sheet, whichever is earlier.
- (iii) The petitioners/accused Nos.1 and 4 shall not interfere with the investigation or influence the witnesses.
- (iv) The petitioners/accused Nos.1 and 4 shall abide by the conditions stipulated under Section 482 (2) of the BNSS and shall cooperate with the Investigating Officer in the investigation.

8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

J.SREENIVAS RAO, J

Date: 16.06.2025
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