

THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

CRIMINAL PETITION No.6803 OF 2025

ORDER:

This Criminal Petition is filed by the petitioner/accused No.3 under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) seeking regular bail in Crime No.46 of 2025 on the file of INSP ADMIN (DD), Hyderabad, registered for the offence punishable under Section 406, 420 read with 120(b) of the Indian Penal Code (IPC) wherein the petitioner is arrayed as accused No.3.

2. Heard Mr. U. Shanthi Bhushan Rao, learned counsel for the petitioner/accused No.3 and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent/State.

3. The case of the prosecution that on 07.05.2021, the de-facto Complainant had entered into a Super Stockist Agreement with the accused persons, thereafter suffered loss of Rs. 6,12,500/- to HMPL and approximately Rs. 30 Crore to FSPL. Subsequently, the accused persons admitted their fraudulent acts by signing a letter dated 25.04.2022, learning that the accused persons caused similar financial fraud with other entities and is currently in custody in Hyderabad, the de-facto complainant urged the respondent to take immediate legal action on 19.04.2025, Hence the above crime was registered.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence and he was falsely implicated in the aforesaid crime. The petitioner is a director of accused No.1-company and has not received any amounts directly and the ingredients under Section 406, 420 read with 120(b) of IPC are not attracted against the petitioner and the offences leveled against the petitioner are punishable with imprisonment below seven years. He further submits the basing on the very same allegations complaints were lodged by the other victims in Crime No.82 of 2023, 174 of 2023 and 241 of 2023. In the above said crimes, the learned XII Additional Chief Metropolitan Magistrate, Hyderabad granted regular bail to the petitioner. Basing on the complaint lodged by the de-facto complainant, the present Crime No.46 of 2025 was registered and the petitioner was arrested on 08.05.2025 through PT warrant and since then the petitioner is in judicial custody and the petitioner is ready and willing to cooperate with the investigation 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 at the instance of the petitioner and other accused several victims suffered and the investigation is under progress and at this stage, if the petitioner is enlarged on bail, he will interfere with the

investigation and also influence the witnesses. 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 specific claim of the petitioner is that on very same allegations several victims filed independent complaints. Basing on the same, Crime Nos.82, 174, 241 of 2023 were registered, wherein the petitioner was already enlarged on bail. On the very same allegations, the present crime was registered.

7. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner/accused No.3 subject to the following conditions:

(i) The petitioner/accused No.3 shall be enlarged on bail on his executing a personal bond for a sum of Rs.50,000/-(Rupees Fifty Thousand only) with two sureties for a like sum each to the satisfaction of learned XII Additional Chief Metropolitan Magistrate, Hyderabad.

(ii) On such release, the petitioner/accused No.3 shall appear before the concerned investigating officer at 11.00 A.M. on every Saturday, 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) After release, if the petitioner/accused No.3 indulges in similar offence, the respondent-State is entitled to file an application seeking cancellation of the bail granted by this Court in his favour.

(iv) The petitioner/accused No.3 shall not interfere with the investigation or influence the witnesses.

(vi) The petitioner/accused No.3 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: 13.06.2025

PSW