

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.7137 of 2025

ORDER:

This Criminal Petition is filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') by the petitioner, who is arrayed as accused No.3, seeking bail in C.C.No.39 of 2021 on the file of learned Sessions Judge, Hyderabad, registered for the offences punishable under Sections 403, 406, 420 r/w. 34 of Indian Penal Code, 1860, and Section 5 of the Telangana Protection of Depositors of Financial Establishments act, 1999 (for short 'TSPDFE Act').

2. The case of the prosecution is that on 10-08-2020 at 2020 hours, a complaint was received from the complainant and 11 others alleging that P. Padmaja and P.V.S.V. Prasad of Runadhara Financial Services convinced them to invest over Rs.13 crores, promising high returns and flats upon exceeding Rs.1 crore in investment. The victims were influenced by the accused apparent political and film industry connections. However, from December 2019, dividends stopped, and the accused neither returned the invested sums nor fulfilled their promises. During the COVID-19 lockdown (March–June 2020), they allegedly collected more than four crores,

purchasing properties and luxury items. On 5-07-2020, the accused sought police protection and filed a civil suit, seemingly to avoid criminal charges. The complainants now fear that the accused are planning to dispose of their properties and abscond. Basing on the same, Crime No.96 of 2017 was registered.

3. Heard Mr.V.Venkata Subramanyam, learned counsel for the petitioner and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for respondent-State.

4. Learned counsel for the petitioner submitted that petitioner was granted bail. Subsequently charge sheet was filed and the petitioner is appearing before the Court below regularly. However, due to the petitioner's non-appearance before the Court below on 24.10.2024, the Court issued a Non-Bailable Warrant (NBW) against him on the same date. The petitioner submits that the issuance of the NBW was not due to any wilful default, as his counsel was not informed about the said proceedings. Due to the same, the petitioner has not taken any positive steps. He further submitted that the Police executed the said NBW's against the petitioner and he was produced before the Court below on

28.04.2025 and since 28.04.2025, the petitioner is in jail. He further submits that petitioner is having old aged mother and she is having health problem and the petitioner is taking care of her, due to same, the petitioner could not contact his counsel and not appeared before the Court below when the matter is posted. Petitioner is a law abiding citizen and he will appear before the Court below in C.C.No.39 of 2021 on each and every adjournment and unless the petitioner is enlarged on bail, his mother will be put to great hardship.

5. Per contra, learned Additional Public Prosecutor submitted that the petitioner is not appearing before the Court below and the Court below issued NBW against the petitioner. After lapse of more than two years, petitioner has not filed any application. If the petitioner is enlarged on bail, he will not appear before the Court below and it is very difficult to adjudicate the proceedings and the presence of the petitioner is very much necessary for adjudication of the proceedings in C.C.No.39 of 2021. Hence the petitioner is not entitled for grant of bail.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that the Court below issued NBW's against the petitioner on 24.10.2024 in C.C.No.39 of 2021. However, the petitioner has not taken any steps to file application for recalling of the NBW to executed against him on 24.10.2024 and he was produced before the Court below and he was remanded to the judicial custody. The petitioner specifically mentioned in this petition that the petitioner's mother is 80 years old and suffering with several health problems and as he is taking care of her, he could not contact his counsel and not appeared before the Court below when the matters were posted.

7. Taking into consideration the above facts and circumstances of the case and as the learned counsel for the petitioner, during the course of hearing, specifically submitted that the petitioner will appear before the Court below on each and every adjournment to prosecute the proceedings, this Court is inclined to grant on bail in favour of the petitioner/accused No.3 subject to the following conditions.

(i)The petitioner/accused No.3 shall execute 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 the learned Metropolitan Sessions Judge, Nampally, Hyderabad.

(ii) After release, if the petitioner/accused No.3 shall file undertaking before the Court below that he will appear before the Court below in C.C.No.39 of 2021 on each and every adjournment.

(iii) After release, the petitioner/accused No.3 shall surrender his passport before the concerned Court and if he is not having passport, he shall file sworn affidavit before the concerned Court.

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

8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

JUSTICE J.SREENIVAS RAO

Date: 20.06.2025

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Dt: 20.06.2025

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