

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.9286 of 2025

ORDER:

This Criminal Petition is filed before this Court for grant of pre-arrest bail to the petitioners who are arrayed as accused Nos.3, 11 and 17 in FIR.No.131 of 2014 on the file of the Miryalguda 1 town Police Station, Nalgonda District, which was later numbered as CC.No.5 of 2024 for the offences punishable under Sections 406, 417, 418, 420, 120-B read with 34 of IPC, Section 5 of TSPDEF Act, Sections 3 to 6 read with 2(c) of Prize Chits and Money Circulation Scheme (Banning) Act.

2. The case of the prosecution revolves around the complainant, depositing Rs.50,000/- with A1 company, believing the representations made by A2, the Chairman-cum-Managing Director, and A3, the agent. The agreement promised a maturity amount of Rs.75,000 after 3 years, with the company issuing a bond and an Agreement of Sale for an undivided share of 9000 Sq.feet of land in Prakasam District. However, upon investigation, the land's existence was found to be false. Despite demands, A1 to A3 failed to pay the maturity amount or show

the plot, allegedly cheating the complainant with dishonest intention and misappropriating funds. The accused allegedly collected deposits from the public by promising high interest rates and plots. Based on this complaint, the police registered crime for the offences as alleged, against the petitioners. Aggrieved thereby, this Criminal Petition is filed.

3. Heard Dr. Ravi Kumar, learned counsel for petitioners, and Sri Sved Yasar Mamoon, learned Additional Public Prosecutor, appearing for respondent – State.

4. Learned counsel for petitioners submitted that petitioners are innocent and falsely arraigned as accused. He contended that despite the completion of the investigation and filing of the charge sheet, the police continue to harass the petitioners, threatening arrest despite the offenses being punishable below seven years. He asserted that the petitioners are frequently called to the police station, causing them to lose income, and lamented that the sections imposed in the FIR are allegedly inapplicable to the case facts. Therefore, while advocating that the petitioners are innocent of the offences as alleged, he prayed this Court to allow the Criminal Petition, granting the relief of anticipatory bail to the petitioners.

5. Learned Additional Public Prosecutor submitted that there are serious set of allegations against the petitioners, which would necessitate their custodial interrogation. Therefore, prayed this Court to dismiss the Criminal Petition.

6. Having regard to the rival submissions made, on going through the material placed on record, it is noted that the petitioner No.1/accused No.3 is already arrested; the petitioner No.2/accused No.11 is shown as Director of the company, and petitioner No.3/accused No.17 is just an agent. Therefore, considering the facts and circumstances of this case, this Court deems it fit to dismiss the case against petitioner No.1/accused No.3 as infructuous, in view of his arrest; dismiss the case against petitioner No.2/accused No.11, who is the Director of the company, as the matter is pending investigation; and as the petitioner No.3/accused No.17 is merely an agent, pre-arrest bail is granted to him, subject to compliance of the following conditions:

- i. The petitioner No.3/accused No.17 shall surrender before the Station House Officer, Madannapet Police Station, Hyderabad District, within two weeks from today, and on such

surrender, the said Station House Officer shall release him on bail, on petitioner No.3/accused No.17 executing a personal bond for Rs.25,000/- (Rupees Twenty Five Thousand only), with two sureties, for the like sum each.

ii. The petitioner No.3/accused No.17 shall abide by the other conditions stipulated in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023 and co-operate with the investigating Officer in investigating the case.

7. IN THE RESULT, this Criminal Petition is partly allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 29.08.2025
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