

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.10418 of 2025

ORAL ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused No.11 in Crime No.221 of 2022 of Central Crime Police Station, Hyderabad, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that the complainant, founder of the NGO "Right to Walk Foundation," which works for public causes, stated that Kshitij Kumar, a former student of her husband, A.M. Kannan, used to interact with them frequently. In the year 2013, Kshitij approached the couple, claiming to work for an investment company and offered to manage A.M. Kannan's finances. Believing him, A.M. Kannan started making investments through Kshitij. Over the years, Kshitij changed jobs but continued to gain the couple's confidence and handled their investments. In May/June 2020, he informed them that he had joined Tata Capital as an Investment Specialist and recommended investing in M/s Grow Magnet Ltd., M/s Validus Project, and M/s Pro Design

Creative Advertising. He assured them of good returns at about 12% per annum, payable monthly, and promised that their investments would be safe and secure. Trusting him, the complainant and her husband invested a total of Rs.1,31,74,000/-. They received monthly interest payments from Grow Magnet until December 2021, after which the payments stopped. Whenever they asked Kshitij Kumar and the representatives of Grow Magnet about the pending interest, they kept postponing it on various pretexts and failed to pay any amount. When the couple requested a refund of their investment, the accused companies neither paid the interest nor returned the principal amount.

3. Heard Sri Ahmed Khan, learned counsel appearing on behalf of the petitioner as well as Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing on behalf of the respondent - State.

4. Learned counsel for the petitioner submitted that the petitioner is in no way connected to the alleged offence, except for the allegation that accused No.10 invested an amount in the petitioner's company, and there are no specific allegations

against the petitioner to attract Section 5 of the Depositors Act. He further submitted that the petitioner has been in jail since 11.07.2025 and that the material part of the investigation has been completed. Therefore, he prayed that the Court grant bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the bail petition, stating that the crime proceeds were invested in the petitioner's company and that the investigation is still pending. He contended that, at this stage, granting bail to the petitioner does not arise. Therefore, he prayed that the Court dismiss the criminal petition.

6. In light of the submissions made by both learned counsel and upon perusal of the material available on record, it appears that the petitioner has been in jail since 11.07.2025. As seen from the record, the allegation against the petitioner is that accused No.10 invested the crime proceeds in the petitioner's company. Considering the facts and circumstances of the case, as well as the period of

incarceration of the petitioner, this Court deems it fit to grant bail to the petitioner, subject to the following conditions:

- i. The petitioner shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each, with two sureties for a like sum each to the satisfaction of the learned Metropolitan Sessions Judge, Criminal Court at Hyderabad.
- ii. The petitioner shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (8) week or till filing of charge sheet whichever is earlier, for the purpose of investigation, and thereafter, as and when required.
- iii. The petitioner shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.(presently, Section 480(3) of the BNSS).

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 21.08.2025
SAI

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