

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.10620 OF 2025

ORDER :

This criminal petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner/A.2 seeking anticipatory bail in connection with Crime No.126 of 2025 of Subedari Police Station, Warangal District. The offences alleged against the petitioner are under Sections 318(4), 316(2), 316(5) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Section 5 of the Telangana Protection of Depositors and Financial Establishment Act, 1999 (for short 'Depositors Act').

2. The case of the prosecution is that on 05.03.2025, the complainant approached Subedari Police Station and lodged a complaint stating that in the year 2021, he had joined a chit group in Mudrakshi Chit Funds Pvt. Ltd. under chit number MCTO1R, contributing Rs.30,000/- per month. The total chit value was Rs.15,00,000/-. In the 35th month, during June 2024, the complainant successfully lifted the chit. However, the managing directors of the company A1- Mahankali Ashok, A.2- Masam Ramesh, A.3- Mudu Sunil Raj Chowhan, A.4- Porika Sampath, and others failed to pay him the amount due. Despite repeated requests, the accused avoided repayment and instead

issued three bank cheques. When the complainant deposited the said cheques, they were dis-honoured due to insufficient funds. Thereafter, the complainant came to know that the same accused had similarly cheated Jakkula Navya W/o Raju, Bolleda Sai Priya W/o Surya Prakash Reddy, Morthala Madhavi W/o Naveen Shinde, Jakka Shailaja W/o Venugopal. Hence, the complainant alleged that the accused had committed cheating and criminal breach of trust, and requested the police to take appropriate legal action against the accused, basing on which, the police has registered a case against the accused.

3. Heard Sri V.Yadu Krishna Sainath, learned counsel for the petitioner and Sri D.Arun Kumar, learned Additional Public Prosecutor appearing for the respondent-State.

4. The contention of learned counsel for the petitioner is that the petitioner herein is innocent of the alleged offences. The petitioner is only a sleeping partner in the said chit fund company and he has no active role in the activities of the company. No specific overt acts are attributed to the petitioner and that material part of investigation is already completed. The accused No.4 in this case is already granted bail by this Court in CrI.P.No.4573 of 2025 on 10.04.2025. As such, prayed this Court to grant anticipatory bail to the petitioner.

5. On the other hand learned Additional Public Prosecutor opposed bail on the ground that the allegations against the petitioner are serious in nature and there are number of victims in the hands of chit Fund Company. As such, petitioner is not entitled for bail and requested this Court to dismiss this petition.

6. Considering the submissions made by both the counsel and the material placed on record, the complainant is a member in the chit and paid 35 monthly instalments. Though he was a successful bidder, the chit amount is not paid to him and the cheque issued by the company was dis-honoured. Further allegation is that petitioner threatened and abused the complainant. Considering the allegations against the petitioner, except Section 5 of the Depositors Act, the other offences are punishable below seven years and with the similar allegations, other accused were already granted bail by this Court. Considering the same, this Court is inclined to grant bail to the petitioner subject to the following conditions :

- i. The petitioner/A.2 shall surrender before the Station House Officer, Subedari Police Station, Warangal within two weeks from today, and on such surrender, the said Station House Officer shall release the petitioner on bail on his executing a personal bond for Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, for the like sum each.

- ii. The petitioner/A.2 shall appear before the concerned SHO at 11:00 a.m., on every Wednesday for a period of eight (8) weeks, for the purpose of investigation and thereafter, as and when required.
- iii. The petitioner/A.2 shall abide by the other conditions stipulated in Section 482(2) of BNSS and co-operate with the Investigating Officer in investigating the case.

7. Accordingly, the Criminal Petition is allowed. Miscellaneous petitions, if any, pending shall stand closed.

K. SUJANA, J

Date :17.10.2025
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