

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.10936 of 2025

ORDER:

The present Criminal Petition is filed praying this Court to enlarge the petitioner on bail, who is arrayed as accused No.1 in Crime No.29 of 2025 before the Police Station, EOW Cyberabad, on the file of the Principal Junior Civil Judge cum Metropolitan Magistrate, Ranga Reddy District, at LB.Nagar, registered for the offences punishable under Sections 318(4), 316(2) read with 3(5) of BNS, and Section 5 of TSPDFEA.

2. The brief facts of the case are that the complainant, Bandamidi Santhosh Kumar, alleged that he was deceived by The Penguin Securities Company, which promised to credit double the deposited amount every month for 20 months. The complainant transferred Rs.5 lakhs to the company's account on December 30, 2024, and received Rs.50,000/- each in January and February 2025. However, the company stopped sending payments, and when the complainant and other affected individuals questioned the company's representative, Swathi, she claimed ignorance and stated that Balaji, another

representative, had absconded. The complainant alleged that the company, Swathi, and Balaji cheated around 50 persons out of Rs.6.50 crores and lodged a complaint with the Jeedimetla PS on May 30, 2025.

4. Heard Sri Nageshwar Rao Pujari, learned counsel for petitioner, and Sri D.Arun Kumar, learned Additional Public Prosecutor appearing for respondent – State.

5. Learned counsel for petitioner submitted that the investigation reveals no allegations in the FIR, and there is no evidence to implicate him. He further submitted that the petitioner, a permanent Hyderabad resident, is willing to cooperate with the investigation and will not abscond since he has committed no offense. He asserted that the contents of FIR., do not constitute an offense against the petitioner, and his false implication will significantly impact his future. He contended that the investigation agency allegedly conducted a superficial investigation, replicating the complaint without evidence, and arrested the petitioner without preliminary inquiry. Therefore, while advocating that given the completed investigation, further custody of the petitioner serves no

purpose, he prayed this Court to grant bail to the petitioner by allowing this criminal petition.

6. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for petitioner stating that as per the complaint averments, the petitioner has cheated around 50 persons and is prime accused in the case. He contended that the recovery of crime proceeds is pending. Therefore, prayed the Court to dismiss the criminal petition.

7. Having regard to rival submissions made and on going through the material placed on record, it is noted that as seen from the record, LWs.1 to 13 were examined and then the matter was transferred to EOW Police Station and investigation is in progress. On going through the counter affidavit filed by learned Additional Public Prosecutor, it is seen that there are no other cases filed against the petitioner. Therefore, considering the period of incarceration of petitioner, this Court deems it fit to grant bail to the petitioner, subject to following the below conditions:

- i. The petitioner 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 Principal Junior Civil Judge cum Metropolitan Magistrate, Ranga Reddy District, at LB.Nagar.
 - ii. The petitioner 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 shall abide by the conditions stipulated in Section 480(3) of the BNSS, earlier known as Section 437(3) of Cr.P.C.
8. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 17.09.2025
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