

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.11040 of 2025

Seeking the Court to enlarge the petitioner who is arrayed as accused in Crime No.1016 of 2025 of Medipally Police Station, Medipally, Rachakonda Commissionerate, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that the de-facto complainant lodged a complaint before the police stating that the petitioner/accused promised him that he will give double bedroom house under the Government Scheme and taken Rs.1.00 lakh on 19.06.2023. Later, the de-facto complainant came to know that accused has also took amounts from his relatives and from others, but he neither handed over any house nor return the money to the de-facto complainant. Hence, the complainant requested to take necessary action. Basing on the said complaint, the police registered a case *vide* Crime No.1016 of 2025 for the offences punishable under Sections 406 and 420 of the Indian Penal Code (for short, 'IPC') and Section 5 of the TS Protection Depositors of Financial Establishments Act, 1999.

3. Heard Sri E. Srinivas Reddy, learned counsel appearing on behalf of the petitioner as well as Sri Arun Kumar Doddla, learned Additional Public Prosecutor appearing on behalf of the respondent - State.

4. Learned counsel for the petitioner submitted that Section 5 of the TS Protection Depositors of Financial Establishments Act is not applicable to this case, as it is not a deposit as defined under Section 2 (b) of the TS Protection Depositors of Financial Establishments Act, 1999 and the petitioner has not established any financial establishment and was not accepting any deposits. Learned counsel for the petitioner further submitted that the petitioner is in judicial custody since 12.08.2025 and no other victim wants to give witness, even though the de-facto complainant mentioned names of some other victims. Therefore, he prayed the Court to grant bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that the allegations leveled against the petitioner are serious in nature. The investigation was not yet

completed, as such they have to record the statements of the other victims. At this stage, granting of bail to the petitioner does not arise. Therefore, he prayed the Court to dismiss the criminal petition.

6. In light of the submissions made by both the learned counsel and upon perusal of the material available on record, it appears that the allegations against the petitioner are that he took money from the de-facto complainant and from other victims under the guise of allotting them Double Bed Room and has took Rs.1.00 lakh from the de-facto complainant and from other victims and there is no such allegation found under the definition of Section 2 (b) of the TS Protection Depositors of Financial Establishments Act, 1999. As seen from the record, except the de-facto complainant, no other victims statements are recorded. Considering the facts and circumstances of the case, 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 Principle Junior Civil

Judge-Cum-IV Additional Metropolitan
Magistrate, MedchalMalkajgir District at
Uppal, L.B.Nagr.

- 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: 02.09.2025
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