

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.11640 of 2025

ORDER:

This Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of pre-arrest bail to the petitioner, who is arrayed as accused No.2 in Crime No.109 of 2025 before the Mahankali Police Station, Hyderabad.

2. The brief facts of the case are that, the *de facto* complainant lodged a report before the police, stating that he is an embroidery machine manufacturer, was seeking a loan to expand his business. Through a professional contact named Anita, he was introduced to Sravan Kumar, who claimed to work at Yes Bank and promised to help secure a Rs.5,00,00,000/- loan under the MEGP scheme. Sravan proposed a business plan involving investment in JCBs for SCCL contracts, assuring high monthly returns. Trusting Sravan, the complainant registered a firm in the name of his son and began transferring money through PhonePe, bank transactions, and cash. Sravan provided forged documents

including work orders, sanction letters, and cheques, and involved others posing as bank officials and landowners. Over time, the complainant paid a total of Rs.70,37,316. Despite repeated assurances, the loan was never disbursed. The complainant later discovered that all documents were fake and that Sravan, along with his wife Sravanthi and associates, had orchestrated a fraud. The complainant requests legal action against all involved parties.

3. Basing on the said complaint, the police registered a case in Crime No.109 of 2025 of Mahankali Police Station, Hyderabad, for the offences punishable under Sections 316(2), 318(4), 338, 336(3), 340(2) and 61(2) of the Bharatiya Nyaya Sanhita (BNS) against accused persons.

4. Heard Sri P. Prabhu Das, learned counsel appearing on behalf of Sri N. Naresh, learned counsel for petitioner and Sri D. Arun Kumar, learned Additional Public Prosecutor for respondent State.

5. Learned counsel for the petitioner submitted that the petitioner is the wife of Accused No.1. Except for the fact that

the complainant transferred an amount of Rs.45,000/-, there is no inducement or act of cheating attributable to the petitioner and that the petitioner has no connection with the allegations made in the complaint and has been falsely implicated solely to harass her. He further submitted that in the entire complaint, apart from the statement that Rs.45,000/- was transferred to the petitioner's account, no other specific allegation has been made against her. Therefore, he prayed the Court to grant pre-arrest bail to the petitioner by allowing the present criminal petition.

6. On the other hand, the learned Additional Public Prosecutor vehemently opposed the submissions made by the learned counsel for the petitioner, contending that there are allegations against the petitioner as well, and that an amount of Rs.45,000/- was transferred to her account and that custodial interrogation of the petitioner is necessary, as there appears to be a common intention between Accused Nos.1 and 2 to cheat the *de-facto* complainant. Therefore, he prayed the Court to dismiss the present Criminal Petition.

7. Having regard to the rival submissions made by both the learned counsel and upon perusal of the material placed on record, it is observed that the petitioner is the wife of Accused No.1. The only specific allegation against the petitioner is that, on 16.05.2025, an amount of Rs.45,000/- was transferred by the *de-facto* complainant to her account. The complaint does not mention the petitioner by name, nor does it contain any direct allegation that she accompanied accused No.1 during the transaction or that she induced the *de-facto* complainant. Considering the facts and circumstances of the case, the petitioner is granted pre-arrest bail, subject to the following conditions:

- i. The petitioner/A.2 shall surrender before the Station House Officer, Mahankali Police Station, Hyderabad, within two weeks from today, and on such surrender, the said Station House Officer shall release her on bail on executing a personal bond for Rs.25,000/- with two sureties, for the like sum each.
- ii. The petitioner/A.2 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.

- iii. The petitioner/A.2 shall appear before the concerned Investigating Officer as and when required her presence is required.

8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 23.09.2025
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