

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.11907 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.76 of 2020 before the Central Crime Station, Hyderabad.

2. The brief facts of the case are that, the *de-facto* complainant lodged a report before the police, stating that the petitioner along with other accused cheated the defacto complainant by misappropriating total amount of Rs.75,87,357/- causing wrongful loss to the defacto complainant. Basing on the same, police registered a case *vide* Crime No.76 of 2020 for the offences punishable under Sections 406 and 420 of IPC against the petitioner.

3. Heard Sri K. Siddarth Reddy, learned counsel appearing on behalf of the petitioner and Sri D. Arun Kumar, learned Additional Public Prosecutor for respondent State.

4. Learned counsel for the petitioner submitted that the petitioner had earlier approached the Court by filing Criminal Petition No.4563 of 2020, pursuant to which the Court had issued a notice under Section 41-A of the Cr.P.C.. However, despite the service of notice and the subsequent filing of the charge sheet, a Non-Bailable Warrant (NBW) was issued by the Court, and the charge sheet indicated that the petitioner was absconding. Therefore, he prayed the Court to grant pre-arrest bail to the petitioner by allowing the present criminal petition.

5. On the other hand, the learned Additional Public Prosecutor vehemently opposed the submissions made by the learned counsel for the petitioner, contending that the petitioner had failed to appear before the Investigating Officer, whereas the other accused had complied and appeared before the Investigating Officer upon being served with Section 41-A notices. He further submitted that the petitioner had not cooperated with the Investigating Agency. Therefore, he prayed the Court to dismiss the present Criminal Petition.

6. Having regard to the rival submissions made by both the learned counsel and upon perusal of the material placed on record, it was observed that although the alleged offences against the petitioner fell under Sections 420 and 406 of IPC, the other accused had been served with notice under Section 35, whereas the petitioner had failed to appear before the Court. The charge sheet had been filed showing the petitioner as absconding and the punishment prescribed for such offences was imprisonment for a term below seven years. Considering the facts and circumstances of the case, this Court is inclined to grant pre-arrest bail to the petitioners, subject to the following conditions:

- i. The petitioner/A.2 shall surrender before the Station House Officer, Central Crime 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 shall appear before the concerned Investigating Officer on every Monday between 09:00 a.m, and 05:00 p.m. for a period of six weeks and thereafter, as and when required.

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

Date: 23.09.2025

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K. SUJANA, J

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