

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.12191 of 2025

ORAL ORDER:

The present Criminal Petition is filed praying this Court to grant pre arrest bail to the petitioner who is arrayed as accused No.20 in FIR.No.RC06(A)/2018-CBI/HYD before the CBI-ACB Police Station, Hyderabad, registered for the offences punishable under Sections 120-B read with 420, 468 and 471 of IPC.

2. The brief facts of the case are that between 2009 and 2012, approximately 220 borrowers and 22 aggregators allegedly colluded with IDBI Bank officials and valuers to obtain Rs.192.98 crores in Kisan Credit Card and Pisciculture loans through fake documents and overvalued collateral. The funds meant for fish cultivation were diverted to personal accounts and misappropriated, leading to non-performing assets. As of September 30, 2017, the total outstanding amount had ballooned to Rs.445.32 crores. Specifically, the petitioner is accused of obtaining a loan of Rs.10.53 crores and misappropriating it, contributing to the massive loan default.

3. Heard Sri G.Anil Kiran Kumar, learned counsel for petitioner, and learned Special Standing Counsel for CBI-ACB, appearing for respondent No.1 – State.

4. Learned counsel for petitioner submitted that the crime was registered in the year 2018 and in the year 2020 notice under Section 35 (3) of the Bharatiya Nagarik Suraksha Sanhita (for short 'BNSS') previously known as Section 41-A of Criminal Procedure Code, was served to petitioner. He asserted that as per the complaint averments, the allegations leveled against the petitioner pertain to the offences punishable for less than seven years. While advocating that the petitioner is willing to cooperate with the investigation, he prayed this Court to grant anticipatory bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Special Standing Counsel for CBI-ACB, opposed the submissions made by the learned counsel for petitioner stating that petitioner is involved in two other crimes as well, and is already out of India, and if he is granted the relief of bail, he will not come back to India, which

would cause prejudice to investigating agency. Therefore, prayed the Court to dismiss the criminal petition.

6. Having regard to rival submissions made and on going through the material placed on record, it is noted that the crime in this case is registered in the year 2018 and the petitioner was served with Section 35 (3) of BNSS notice as well. Further, the learned counsel for petitioner submitted that the petitioner was granted the relief to travel abroad *vide* order dated 11.07.2025 passed in CrI.MP.No.1042 of 2025 in CC.No.211 of 2023 on the file of V Additional Judicial Magistrate of First Class, Vijayawada, subject to submitting the entire travel record, contact details and address particulars in USA. Considering all these aspects, this Court deems it fit to grant pre-arrest bail to petitioner, subject to compliance of the following conditions:

- i. The petitioner shall surrender before the Special Judge, Court for CBI Cases, Hyderabad, within two weeks from today, and on such surrender, the petitioner shall be released 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 shall abide by the other conditions stipulated in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023 and co-operate with the trial Court.
- iii. As the charge sheet is already filed, the petitioner shall submit the entire travel itinerary, contact details and address particulars of USA, before Special Judge, Court for CBI Cases, Hyderabad.

7. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 25.09.2025
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