THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.12566 of 2025

Seeking the Court to enlarge the petitioner who is arrayed as accused No.2 in FIR No.55 of 2025 of Central Crime Station Police Station, Hyderabad District, on bail, the present Criminal Petition is filed.

2. The case of the prosecution is that the de-facto complainant lodged a report before the police stating that a common acquaintance introduced her to one Kotamarthi Nageshwara Sharma, in May 2022, who introduced himself as the manager of SBI Stressed Assets Branch, Koti. The said person approached her multiple times stating that he had a good investment proposal, knowing that her daughter is living abroad. To secure the investment, he used to frequently visit the house of her sister, P. Vinoda, on one pretext of the other and tried to convince her regarding the said investment proposal, promising very good returns. He stated that he looked after the sale of auction properties and auction gold in the State Bank of India and that certain properties and gold articles were put up for auction by the bank and that he could procure the same for her at very good pricing. Though initially

reluctant, the said person lured her in all possible manners by making false promises and gullible words, and he showed her multiple plots and houses which he claimed were put up for auction by As the properties were in prime areas, i.e., Himayathnagar, Tarnaka, D.D. Colony, and Banjara Hills, and priced reasonably she started paying him money for the purchase of the said auction properties. It is further stated that accused person A-1 by colluding with others induced the complainant by introducing himself as the manager of SBI Stressed Assets Branch, Koti and promised to deliver the auctioned residential plots, open plots, gold, four wheeler vehicles from SBI on better prices and thereby collected about Rs.20 Crores by submitting fake and fabricated payment proofs by hand and whatsapp i.e., SBI Challans, Demand Drafts and also letters pertaining to different departments of Government of Telangana, RBI, Ministry of Finance (Government of India), GST Department etc., and thereby cheated the complainant. Hence, she requested to take necessary action. Basing on the said complaint, the police registered a case for the offences punishable under Sections 316(2), 318(4), 336(2), 338, 340(2) of BNS and 61(2) of BNS.

3. Heard Sri K. Satish Chakravarthy, learned counsel appearing on behalf of the petitioner/accused No.2 as well as Sri Arun Kumar Doddla, learned Additional Public Prosecutor for respondent-State.

4. Learned counsel for the petitioner submitted that the petitioner/accused No.2 is innocent of the alleged offences. It is further submitted that the petitioner herein is no way connected with the said SBI Branch. It is further submitted that the petitioner herein is implicated as an accused basing on the confession statement of accused Nos.1 and 3, wherein, according to the confession statement, the petitioner herein helped the accused Nos.1 and 3 by calling the de-facto complainant and others stating that the petitioner herein is the SBI Manager. It is further submitted that, even according to the Remand Case Diary, the allegation is that the accused No.1 with others collected Rs.20 Crore and except this allegation, there are no other allegations against this petitioner. It is further submitted that the petitioner herein is in jail from 03.09.2025 and the material part of the investigation is already completed. It is further submitted that accused Nos.1 and 3 were already released on bail and therefore, no further custodial interrogation is required.

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 by filing counter affidavit and stated that the investigation is still pending. Further, Rs.20 Crores are involved in this case and this amount was not yet traced out and they have to investigate on this aspect. At this stage, the petitioner herein is not entitled for the bail. 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 petitioner/accused No.2 herein is in jail from 03.09.2025. Further, as seen from the record, the role of the petitioner herein, according to the confession statement of the accused Nos.1 and 3 is that the petitioner herein called the de-facto complainant and impersonated himself as SBI Manager and he received the amount of Rs.20 Crores. Considering the facts and circumstances of the case, the nature of the allegations, the stage of investigation, and the duration of incarceration, this Court finds it appropriate to

grant bail to the petitioner/accused No.2, subject to the following conditions.

i. The petitioner/ accused No.2 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 the learned XII Additional Chief Judicial Magistrate, at Nampally, Hyderabad.

ii. The petitioner/ accused No.2 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/ accused No.2 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: 09.10.2025
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