THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.12759 OF 2025

ORDER :

This criminal petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner/A.1 seeking anticipatory bail in connection with Crime No.127 of 2025 of Mugpal Police Station, Nizamabad District. The offences alleged against the petitioner are under Sections 318(4) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Section 5 of the Telangana Protection of Depositors and Financial Establishment Act, 1999 (for short 'Depositors Act').

2. The case of the prosecution is that the defacto complainant lodged a report before police stating that in the year 2022 she used to work in the house of petitioner. On one occasion, petitioner informed the complainant that she owned 3 acres of land near Armoor and Ankapur, valued at Rs.2,67,000/- per acre, and asked if the complainant was interested in purchasing it. The complainant expressed her inability to pay the full amount. The petitioner lured her that payment could be made in installments and that she would manage the process. As such, the complainant informed her husband, who agreed to the said proposal. Subsequently, the

complainant and her husband paid Rs.50,000/- at the residence of petitioner. After four months, they paid an additional amount of Rs.30,000/-, followed by Rs.70,000/-. When the complainant requested to see the land, petitioner falsely claimed that borewell and leveling work was going on and postponed their visit. Later, the petitioner collected Rs.1,17,000/- more from the complainant and again when the complainant asked about the land, petitioner stated that once the land was sold, the sale proceeds would be credited to the complainant's account and asked her to open a Union Bank account and hand over the passbook. The petitioner also fraudulently obtained the complainant's bank account details Aadhaar card, PAN card, and xerox copies of cheques. She also demanded a cheque for her commission. Since the complainant did not possess one, she provided a cheque from her husband's HDFC account.

3. It is further alleged that petitioner also asked the complainant to bring other interested buyers. Believing her, the complainant introduced her relative, Mekala Yamuna, petitioner induced Yamuna to pay Rs.8,33,000/- in cash and also collected signed blank cheques and promissory notes from her. Despite repeated requests, neither the land was transferred nor the money was returned and when they questioned the

petitioner, she threatened the complainant and others. It is also stated that the petitioner also cheated other persons on the same allegations, collected large sums from all victims, along with signed blank cheques and promissory notes, under false promises of selling 3 acres of land. Hence, the complainant requested the police to take necessary action against the petitioner and basing on the said complaint, police registered the case against the petitioner for the above offences.

4. Heard Sri Gudi Satyanarayana, learned counsel for the petitioner and Sri D.Arun Kumar, learned Additional Public Prosecutor appearing for the respondent-State.

5. The contention of learned counsel for the petitioner is that all the allegations made against the petitioner are false and baseless and whatever the averments averred in the complaint does not constitute any offence under Section 5 of the Depositors Act, except Section 318(4) of BNS which is punishable below seven years and only to avoid notice under Section 35(3) of BNSS, the police falsely implicated the petitioner for Section 5 of the Depositors Act also. However, there is no deposit or financial establishment to attract Section 5 of the Depositors Act. There are no previous cases against the petitioner and there is no documentary evidence to prove the

same. As such, requested the Court to grant anticipatory bail to the petitioner.

6. On the other hand, learned Additional Public Prosecutor opposed bail stating that the petitioner is also involved in other case vide Cr.No.447 of 2025 of Armoor P.S registered for the offence under Section 318(4) of BNS and Section 23 of Banning Unregulated Deposit Act and requested this Court to dismiss this petition.

7. Considering the submissions made by both the counsel and the material on record, the allegations against the petitioner herein is that she lured poor people and collected money under the guise of land which is not available with her, which shows that she cheated the defacto complainant and other people. Against the petitioner another case is also filed for the same allegations. Considering the nature of offence, this Court is not inclined to grant bail to the petitioner and the same is liable to be dismissed.

8. Accordingly, the Criminal Petition is dismissed.

Miscellaneous petitions, if any, pending shall stand closed.

K. SUJANA, J

Date :16.10.2025
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THE HON'BLE SMT. JUSTICE K. SUJANA

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