

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.13653 of 2025

ORDER:

The present Criminal Petition is filed praying this Court to grant pre arrest bail to the petitioner who is arrayed as accused No.5 in Crime No.42 of 2025 before the EOW Police Station, Cyberabad, Ranga Reddy District, registered for the offences punishable under Sections 420, 406, 467, 468, 471 read with 120(b) of IPC.

2. The brief facts of the case are that based on a complaint by the SBI Katedan Branch Chief Manager, alleging that A1 company, represented by A2 and A3, obtained a Rs.6 crore business loan from the bank by submitting forged land documents as security, a complaint was registered. The loan was defaulted, declared a non-performing asset, and investigation revealed the documents were fake. The accused transferred funds to associated companies, including petitioner/A5, leading to alleged charges under Sections 420, 406, 467, 468, 471, and 120(B) IPC.

3. Heard Sri B.Bhagath Sain, learned counsel for petitioner, and Sri D. Arun Kumar, learned Additional Public Prosecutor appearing for respondent – State.

4. Learned counsel for the petitioner submitted that the petitioner is an innocent person, who is falsely implicated in the case, with no evidence of involvement in forgery or misappropriation. He further submitted that she is arrayed as accused solely based on a co-accused's confession and a transaction into her account. He contended that the allegations are civil in nature, and averred that petitioner, a woman with a child suffering from autism, undertakes to cooperate with the investigation and is willing to abide by any conditions imposed by this Court. Therefore, he prayed this Court to grant anticipatory 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 petitioner stating that there are serious allegations against the petitioner which would require her custodial interrogation as the case involves huge amounts.

Therefore, he prayed this Court to dismiss the criminal petition, stating that if the relief of anticipatory bail is granted to petitioner, the investigation would be hampered.

6. Having regard to rival submissions made and on going through the material placed on record, it is noted that the allegation leveled against the petitioner are with regard to misappropriation of amounts and according to complainant, all the accused conspired together to defraud bank. However, while arguing the matter, learned counsel for petitioner submitted that accused No.2 had already given a proposal to the bank for payment of amount to the extent of his liability which was not accepted by the bank as there are huge dues, and highlighted the fact that the said proposal itself would show that there is no intention of cheating and that the petitioner himself is also a victim in the said transactions. Considering the facts of this case in entirety, and keeping in mind the fact that accused No.2 is already arrested and released on bail, and material part of investigation being completed, 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 Station House Officer, EOW Police Station, Cyberabad, Ranga Reddy District, within two weeks from today, and on such surrender, the said Station House Officer shall release petitioner 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 Investigating Officer in investigating the case.
- iii. The petitioner shall appear before the concerned Investigating Officer on every Wednesday between 09:00 a.m, and 05:00 p.m., till the filing of the charge sheet and thereafter, as and when required.

7. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 07.11.2025
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