

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.13710 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 are arrayed as accused No.1 in Crime No.74 of 2025 before the EOW Cyb (Cyberabad) Police Station, Cyberabad Commissionerate, registered for the offences punishable under Sections 318(4), 316(2), 338, 336(3), 340(2), read with 61(2) of the Bharatiya Nyaya Sanhita (BNS).

2. The brief facts of the case are that on 29.09.2025, the *de-facto* complainant lodged a report with the police stating that she is not an active partner in the firm of Accused No.1, but merely a sleeping partner with no financial investment or involvement in the business. She alleged that Accused No.1 fraudulently obtained loans in her name by forging her signature, without her knowledge or consent. Despite this, authorities have filed a case against her, as such requested the police to take necessary action. Based on her complaint, a case

was registered under Crime No.74 of 2025 for the aforementioned offences.

3. Heard Ms. Racharla Sandhya Rani, learned counsel for Sri Radroji Rakesh Kumar, learned counsel for the petitioner, and Sri Arun Kumar Doddla, learned Additional Public Prosecutor for respondent-State.

4. The contention of the learned counsel for the petitioner is that as per the *de-facto* complainant herself, she signed some of the loan documents and filed a civil suit claiming 50% share in the company of Accused No.1. Previously, she also filed a suit against bank officials regarding personal loans and credit cards taken by her, seeking to restrain recovery proceedings, which confirms that the loans were taken by the complainant herself and no forgery was committed by the petitioner. Therefore, the petitioner has no connection with the alleged offence, and requested the Court to grant pre-arrest bail by allowing the criminal petition.

5. On the other hand, learned Additional Public Prosecutor vehemently opposed the submissions made by learned counsel for petitioner stating that the entire loan amount was credited to

the account of Accused No.1 and that the *de-facto* complainant had no knowledge of the transactions undertaken by the accused and her husband. He contended that granting pre-arrest bail at this stage would impede the ongoing investigation and therefore urged the Court to dismiss the criminal petition.

6. Upon considering the submissions made by both the learned counsel and examining the material available on record, the primary allegation against the petitioner is that she forged the signature of the *de-facto* complainant on the loan documents. The complainant alleged that some documents were forged by the accused. Additionally, the civil suit filed by the petitioner against the banks seeking to restrain recovery indicates her acknowledgment of the debt. At this stage, there is no conclusive evidence of forgery to substantiate the alleged offences, and custodial interrogation of the petitioner does not appear necessary. Considering the facts and circumstances, this Court deems it appropriate to grant pre-arrest bail to the petitioner, subject to the following conditions:

- i. The petitioner shall surrender before the Station House Officer, EOW Cby(Cbyerabad) Police Station, Cyberabad Commissionerate, within two weeks from

today, and on such surrender, the said Station House Officer shall release him on bail on executing a personal bond for Rs.25,000/- 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 Monday 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: 03.11.2025
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