

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.14213 OF 2025

ORDER :

This criminal petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 by the petitioners/A.6, 7, 8, 9, 11, 13, 15, 16 and 17 seeking anticipatory bail in connection with Crime No.196 of 2025 of Shyampet Police Station, Hanumakonda District. The offences alleged against the petitioners are under Sections 61(2), 318(4), 336(3), 338, 316(5), 314, 217 r/w.3(5) of Bharatiya Nyaya Sanhita, 2023 and Sections 66C, 66D, 65 of Information Technology Act.

2. The facts of the case are that on 06.10.2025 a complaint was lodged by the complainant U.Mahender, District Manager, TGSCSCL stating that as per the instructions of the Commissioner CS, a discreet enquiry was conducted into irregularities in the paddy allotment process (Rabi 2024-25) involving M/s Sambashiva Mini Modern Rice Mill, Kamalapur Village & Mandal, Hanumakonda District. The investigation, initiated on 06.10.2025 at 11:00 hours, revealed that the PPC in-charges at Shayampet IKP and Katrapally exploited loopholes

in the Online Paddy Procurement Management System (OPMS) by creating fictitious farmer profiles in the names of individuals who neither owned agricultural land nor cultivated paddy. These fake entries were used to falsely reflect procurement and claim payments. As per standard procedure, paddy should be procured from genuine farmers and dispatched to authorized mills based on District Collector orders. However, records showed that paddy was fraudulently shown as dispatched to M/s Sambashiva Mini Modern Rice Mill, and payments were made to fake accounts. The main accused, B. Srinivas (Proprietor of the said rice mill), in collusion with Banda Lalitha (mediator), V. Charan (private Tab Operator), and several PPC in-charges, AOs, ABOs, and AEOs, manipulated land records, created fake farmer profiles and facilitated unauthorized entries in the OPMS. They added 278 acres of government land without valid documents and recorded 8049.6 quintals of paddy, fraudulently drawing Rs.1,86,63,088/-. Field inspections confirmed that no actual stock existed, and fake truck chits were generated. The officials involved, failed to perform field verifications, shared login credentials, and allowed unauthorized access to the OPMS system, enabling fraudulent transactions. The enquiry established that B. Srinivas

masterminded the operation, causing significant financial loss to the Corporation. Following the report, the VC & MD, TGSCSCL, Hyderabad, directed legal action against all 21 individuals involved and recovery of the misappropriated amount.

3. Heard Sri K. Vishnu Kanth, learned counsel for the petitioners and Sri D.Arun Kumar, learned Additional Public Prosecutor appearing for respondent-State.

4. The contention of learned counsel for the petitioners is that the allegations in the FIR are primarily based on a preliminary departmental enquiry conducted by the District Manager, TGSCSCL, and not on a full criminal investigation. The FIR relied heavily on digital records from the OPMS portal, truck chits, and administrative entries maintained by the Civil Supplies Department. It did not mention any specific or independent act by the petitioners that constituted the alleged offences, nor did it show any physical misappropriation of funds by them. No cash, property, or digital devices were recovered from the petitioners to prove any unauthorized withdrawals or receipt of funds. The names of petitioners were included in the FIR merely due to professional association with the rice mill,

without any direct evidence or their role. Many of the allegations related to data entry and portal usage, which fell under administrative audit and disciplinary review, not criminal liability.

5. Learned counsel further contended that the digital evidence was under government custody, making tampering unlikely. The petitioners undertake to cooperate with the investigation, provide documents, attend questioning, and share relevant records required for investigation. The custodial interrogation of the petitioner is not required, as the case is based on documents and technical data. It is also contended that the FIR did not show any direct transfer of funds to the petitioners' accounts, nor did it include transaction details proving receipt of unlawful money. The inclusion of multiple names without specific roles is a mechanical approach to registration. They believed that departmental remedies, audits, and forensic reviews are more appropriate than criminal proceedings at this stage. He further contended that the petitioners were not given opportunity to respond to the departmental findings before the FIR was filed, which they claimed as prejudicial. After their anticipatory bail application was rejected by the Principal District & Sessions Judge,

Hanamkonda, on 29.10.2025, they approached this Hon'ble Court seeking anticipatory bail. Hence, prayed this Court to grant anticipatory bail to the petitioners.

6. On the other hand, learned Additional Public Prosecutor opposed bail stating that huge amount is transferred to the account of A.13 and the statement of account is also filed. Hence, the petitioner is not entitled for bail and prayed to dismiss this petition.

7. Considering the submissions made by the respective counsel and the material placed on record, while arguing the matter, learned counsel for the petitioners would submit that the Accused Nos.6, 7, 8, 9, 11, 15, 16 and 17 are already arrested as such, the criminal petition against them has become infructuous.

8. According to the learned counsel for the petitioners, the petitioner/A.13 is a student and is innocent of the said allegations. The Aadhar card and pan card of A.13 are taken by A.1 and implicated him in this case. A.13 has not received any amount in this case and he undertakes to cooperate with the investigating officer. Whereas, the contention of learned Additional Public Prosecutor is that huge amount is transferred

to the account of A.13 and the allegations are that under the guise of farmer, the accused sold paddy to Government claiming support price. As the other accused were already arrested and the investigation is basing on the documents and whatever amount deposited in the account of A.13 is also on record, considering all these aspects, this Court deems it fit to grant anticipatory bail to the petitioner No.6/A.13 subject to the following conditions :

- i. The petitioner No.6/A.13 shall surrender before the Station House Officer, Shyampet Police Station, Hanumakonda District within two weeks from today, and on such surrender, the said Station House Officer shall release the petitioner No.6/A.13 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 No.6/A.13 shall appear before the concerned SHO at 11:00 a.m., on every Wednesday for a period of eight (8) weeks, for the purpose of investigation and thereafter, as and when required.
- iii. The petitioner No.6/A.13 shall abide by the other conditions stipulated in Section 482(2) of BNSS and co-operate with the Investigating Officer in investigating the case.

9. Accordingly, the Criminal Petition is partly allowed in respect of petitioner No.6/A.13 and the criminal petition in respect of petitioner Nos.1 to 5, 7 to 9/A.6, 7, 8, 9, 11, 15, 16 and 17 is dismissed as infructuous.

Miscellaneous petitions, if any, pending shall stand closed.

K. SUJANA, J

Date : 14.11.2025
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THE HON'BLE SMT. JUSTICE K. SUJANA

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