

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.14996 of 2025

DATE: 03.12.2025

BETWEEN:

Avaneesh Kumar

.....petitioner/accused

And

State of Telangana,
Represented through Public Prosecutor,
High Court Buildings,
Hyderabad.

.....Respondent/complainant

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 is arrayed as accused in Crime
No.9736 of 2024 before the Cyber Crime Police Station, Cyberabad

Commissionerate, registered for the offences punishable under Section 318(4) of BNS and Section 66-D of IT Act.

2. The brief facts of the case are that the de facto complainant lodged a report before the Police stating that on 08.11.2024 he joined a WhatsApp group named Mastertrust Stock Chat P2, which falsely claimed affiliation with Master Capital Services Ltd. He stated that a woman named Anita Nyati guided him to register on multiple fraudulent websites and induced him to invest in block trading and IPO schemes. Between 08.11.2024 and 19.12.2024 he transferred a total of Rs.2,53,02,229.40/- to various bank accounts/UPI IDs provided by the accused persons and received only Rs.10,000/- in return. When his withdrawal requests were denied and he was asked to pay Rs.60 lakhs as tax and another Rs.30 lakhs as service commission, he realised the fraud. Upon contacting the real Master Capital Services Ltd., he learnt that no such person or group existed, as such, the crime was registered against the petitioner and other accused for the above said offences.

3. Heard Sri Maaroo Chgathath, learned counsel representing Sri B. Aravind Reddy, learned counsel appearing on behalf of the

petitioner as well as Sri D. Arun Kumar, learned Additional Public Prosecutor appearing on behalf of the respondent – State.

4. Learned counsel for the petitioner submitted that no prima facie case was made out against the petitioner and that there was complete absence of *mens rea*, as no material suggested his involvement in the alleged cyber-fraud and that all offences were punishable below seven years and, being documentary in nature, did not require custodial interrogation. He contended that the petitioner had clean antecedents, no connection with the other accused, and had been subjected to procedural violations including illegal arrest and search earlier. It was submitted that all electronic and banking records were already with the investigating agency, that no recovery was pending from the petitioner, and that the trial court erred in dismissing his anticipatory bail by mis-recording his submissions. Therefore, he prayed the Court to grant pre-arrest 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 stating that the allegations leveled against the petitioner are serious in nature. Further, the investigation was not yet completed. At this stage, granting of pre-arrest bail to the

petitioner does not arise. Therefore, he prayed the Court to dismiss the criminal petition.

6. In the light of the submissions made by both the learned counsel and upon a perusal of the material available on record, it appears that the de facto complainant invested the amount through the platform Master Capital Services Limited. The petitioner was already produced before the Delhi Court, wherein transit bail was granted. Now, notice under Section 179 of the BNSS has been served on the petitioner, and the offences alleged against him are punishable with imprisonment of less than seven years. Considering the facts and circumstances of the case, this Court deems it fit to grant pre-arrest bail to the petitioner, subject to the following conditions:

- i. The petitioner shall surrender before the Station House Officer, Cyber Crime 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: 03.12.2025
SAI

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