

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.15191 of 2025

2nd DAY OF DECEMBER 2025

Between:

Saneesh Kumar.

PETITIONER

The State of Telangana, through PS
Cyber Crime (HQRS), TGCSB
Rep by Public Prosecutor.

RESPONDENT

ORDER

This Criminal Petition is filed praying this Court to enlarge the petitioner on bail who is arrayed as accused No.16 in Crime No.30 of 2025 before the Cyber Crime Police Station, TSCSB, registered for the offences punishable under Section 66D of IT Act, 318(4), 319(2), 338 of BNS.

2. The brief facts of the case are that the de-facto complainant had received an investment proposal through a WhatsApp group allegedly operated by persons posing as representatives of SMC Global Securities Ltd. They were said to have induced him and other members to invest by sharing fake SEBI approvals, changing login URLs frequently, and allotting exaggerated IPO shares far beyond account balances and even beyond the actual issue size. When the complainant verified with the concerned

company and SEBI, he learned that no such allotments existed and that the activity amounted to cyber fraud. Based on this complaint, Crime No.30 of 2025 was registered, and the petitioner, arrayed as accused No.16, was arrested on 29.10.2025, produced on transit remand from Kerala, and remanded to judicial custody on 31.10.2025.

3. Heard Sri M. Sai Prakash Goud, learned counsel for petitioner, and Sri D. Arun Kumar, learned Additional Public Prosecutor appearing on behalf of the respondent - State.

4. Learned counsel for the petitioner submitted that the petitioner had no role in the alleged scheme and was falsely implicated without any material connecting him to the offence and that no allegation in the complaint suggested that the petitioner ever communicated with the complainant or participated in any transfer of funds, and no recovery or discovery was pending at his instance. He further submitted that the alleged were punishable below seven (7) years, and therefore mandatory safeguards under Section 35(3) BNSS were violated when the police proceeded to arrest him without issuing notice. He contended that similarly placed co-accused had already been granted bail, investigation was substantially completed, the petitioner had no criminal antecedents, suffered from serious health ailments. Therefore, he prayed the Court to grant 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

there are serious allegations against the petitioner. Further, the investigation was not yet completed. At this stage, granting of bail to the petitioner does not arise. Therefore, he prayed the Court to dismiss the criminal petition.

6. Having regard to the rival submissions made, and on perusing the material placed on record, it is noted that the petitioner has been in judicial custody since 31.10.2025. The offences alleged are punishable below seven years, and the record does not disclose any specific recovery or discovery pending at the instance of the petitioner. The complaint does not attribute any direct communication or transfer of funds to the petitioner, and similarly placed co-accused have already been enlarged on bail. In view of the settled principle that continued detention, when investigation is substantially progressed, serves no useful purpose, and keeping in mind the health condition of the petitioner, this Court is of the opinion that the petitioner can be enlarged on bail by imposing suitable conditions to secure his presence and cooperation with the investigation. Therefore, the Criminal Petition is allowed subject to the following conditions:

- i. The petitioner shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for a like sum each, to the satisfaction of the VI Additional Chief Judicial Magistrate, at Nampally, Hyderabad.
- ii. The petitioner 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 shall abide by the conditions stipulated in Section 480(3) of the BNSS, earlier known as Section 437(3) of Cr.P.C.

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

Date: 02.12.2025
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K. SUJANA, J

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.15191 of 2025

DATE: 02.12.2025

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