IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.15244 OF 2025

05th DAY OF DECEMBER 2025

Between :

Mohammad Muzamil Khan

... Petitioner/A.5

And

The State of Telangana,
Through SHO PS-Indalwai,
Rep., by its Public Prosecutor,
High Court at Hyderabad

... Respondent

ORDER

This criminal petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 by the petitioner/A.5 seeking anticipatory bail in connection with Crime No.104 of 2025 of Indalwai Police Station, Nizamabad District. The offence alleged against the petitioner is under Sections 316(2), 318(4), 351(2) r/w.3(5) of Bharatiya Nyaya Sanhita, 2023 and under Section 5 of the Telangana Protection of Depositors and Financial Establishment Act, 1999.

2. The case of the prosecution is that on 19.04.2025 at 6:00 PM, the complainant, lodged a complaint stating that four individuals namely Wajeed Hassan, Moiz Khan, Amer, Hymad approached him and claimed to own Shreem Evergreen Homes and Constructions, along with a money circulation business. They falsely assured him that they were registered with the Registrar of Companies and had an RBI license for trading and crypto currency operations. Trusting their words, the complainant invested money through their website (www.profitechub.com) and in crypto currency platforms, with promises of high returns gave a Federal Bank cheque for Rs.5,10,000/- to Moiz Khan. On 26.09.2023, they took an additional amount of Rs.15 lakhs from him. When he demanded repayment, they issued a cheque (No. 23070200001556) which was bounced due to insufficient funds. These individuals also collected deposits from others in and around Nizamabad, amounting to approximately Rs.10 crores, and Moiz Khan later fled to Dubai. On 11.05.2024, Moiz Khan's associates, Mohammad Amer and Wajeed, approached the complainant again, claiming Moiz Khan was running a successful business in Dubai and requested another Rs.50 lakhs investment. The complainant took loans from HDFC, TATA Capital, and Bajaj

Finance and paid Rs.10 lakhs in cash, Rs.4.2 lakhs through SBI cheque (No.147458) on 07.05.2024, Rs.1 lakh through PhonePe and Google Pay on 10.05.2024, Rs.4.8 lakhs through cheque (No.147457), and Rs.10 lakhs through SBI cheque (No.147460) on 14.05.2024 totaling Rs.40 lakhs. In total, the accused collected Rs.60 lakhs from him without any valid license and failed to return the money. When he demanded repayment, Wajeed and Amer threatened to kill him. He visited Amer's jewelry shop near GPO Abids, Hyderabad, but was again threatened and denied repayment. Hence, he requested the police to take necessary action against the accused. Basing on the said complaint police registered the case against the accused.

3. Heard Ms. Verose Sanjana, learned counsel for the petitioner and Sri D.Arun Kumar, learned Additional Public Prosecutor appearing for the respondent-State.

4. The contention of learned counsel for the petitioner is that the petitioner herein is not shown as accused in FIR and there are no such allegations against him in complaint except stating that certain amounts were transferred to the account of this petitioner. There is no material to prove that petitioner has

played active role in the alleged offence. As the petitioner herein is the relative of A.1, he is falsely implicated in this case and petitioner is ready to cooperate with the investigation. Hence, prayed this Court to grant anticipatory bail to the petitioner.

5. On the other hand, learned Additional Public Prosecutor opposed bail stating that though the petitioner name is not referred by the defacto complainant, huge amounts were transferred to the account of petitioner and A.1 confessed that petitioner herein has helped them in cheating and the amount collected was also deposited in the account of petitioner herein. Therefore, to trace out the amount, custody of the petitioner is required. Hence, petitioner is not entitled for bail and prayed to dismiss this petition.

6. Considering the submissions made and perusal of material on record, admittedly, the name of petitioner is initially not mentioned in the report whereas, basing on the confession statement of A.1 that he transferred the amount to the petitioner herein, he was arrayed as A.5. Except that statement there is no such material collected by the investigating officer to show that amount was transferred to the petitioner's account. Further there is no such allegation against the petitioner that he

induced the defacto complainant for investing the amount in the said company. Considering the allegations against the petitioner and the facts and circumstances, this Court deems it fit to grant bail to the petitioner subject to the following conditions :

i. The petitioner/A.5 shall surrender before the Station House Officer, Indalwai Police Station, Nizamabad District within two weeks from today, and on such surrender, the said Station House Officer shall release petitioner/A.5 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/A.5 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/A.5 shall abide by the other conditions stipulated in Section 482 (2) of BNSS and co-operate with the Investigating Officer in investigating the case.

7. Accordingly, the Criminal Petition is allowed. Miscellaneous petitions, if any, pending shall stand closed.

K. SUJANA, J

Date : 05.12.2025
Rds

THE HON'BLE SMT. JUSTICE K. SUJANA

<u>CRIMINAL PETITION No.15244 OF 2025</u>

<u>DATE :05.12.2025</u>

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