

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.15996 of 2024

ORDER:

This Criminal Petition is filed under section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of pre-arrest bail to the petitioners who are arrayed as accused Nos.2 and 3 in Crime No.1356 of 2024 of Vanasthalipuram Police Station, Rachakonda.

2. The brief facts of the case are that the 20.11.2024 at 21.00 hours, the *de-facto* complainant lodged a report stating that the accused person have hatched plan and established enterprises in the name and style of one Tri Shakti Enterprises and opened office in the year 2022-2023 for earning easy money by depositing huge amounts from common public with a promise to repay high commission on deposited amounts. It is stated that in the first year they have paid some amounts to the depositors through given accounts, due to which the depositors believed them strongly and again they have accumulated huge amounts by way of gold loans from banks and loans from others and after collecting huge amounts into their accounts they have closed the Tri Shakti Enterprises Office and turned office board and

shifted their residence to unknown address from Kamalanagar and on phone calls they threatened the depositors with dire consequences. Hence, the case was registered vide Crime No. 1356 of 2024 of Vanasthalipuram Police Station, Rachakonda, for the offences punishable under Sections 406, 420 of IPC and Section 5 of TSPDFEA.

3. Heard Sri M.Phanindra Bhargav, learned counsel appearing on behalf of the petitioners as well as Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing on behalf of the respondent.

4. Learned counsel for the petitioners *firstly* submitted that the petitioners are innocent and they are no way concerned with the alleged offences. He *secondly* submitted the accused persons already repaid the amount to the depositors and also filed the statements pertaining to the same. He *thirdly* submitted that accused No.1, was granted bail vide Crl.P.No.15192 of 2024, dated 20.12.2024. He *lastly* submitted that previously, bail application of the petitioners, *vide* Crl.M.P.No.2508 of 2024, was dismissed by the I Additional District and Sessions Judge, Ranga Reddy District at L.B.Nagar, on 16.12.2024, without valid reasons and prayed the Court to grant bail to the petitioners 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 huge public money involved in this case and investigation is not yet completed and therefore, granting anticipatory bail to the petitioners, at this stage, does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. After considering submissions from both the parties and material available on record, it is apparent that the statements filed by the petitioners show that they have repaid the amounts to the depositors and accused No.1 has already granted bail. It is pertinent to note that material part of investigation is completed. Therefore, considering the facts and circumstances of the case, this Court is of the considered view that it is a fit case for granting of anticipatory bail to the petitioners.

7. Accordingly, this petition is allowed granting anticipatory bail to the petitioners subject to the following conditions:

- i. The petitioners shall surrender before the Station House Officer of P.S.Vanastalipuram 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 petitioners shall cooperate with the case proceedings by appearing before the concerned Court whenever his presence is required.
- iii. The petitioners shall abide by the other conditions stipulated in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 03.01.2025

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