

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.16297 of 2025

DATE: 23.12.2025

BETWEEN:

Namani Karthik.

.....petitioner/accused

And

The State of Telangana,
Rep. by Public Prosecutor,
High Court for the State of Telangana,
at Hyderabad.

.....Respondent/complainant

ORDER

This Criminal Petition is filed praying this Court to enlarge the petitioner on bail who is arrayed as accused in Crime No.150 of 2025 before the SZCT PS, CCS, DD, Hyderabad, registered for the offence punishable under Sections 316(4), 318(4) of BNS and Section 5 of TGPDFE Act.

2. The brief facts of the case are that a complaint dated 15.11.2025 lodged by Sri D. Siva Kumar, a retired Associate Professor, before the Dy. Commissioner of Police, CCS, DD, Hyderabad, alleging that the petitioner/accused, N. Karthik, was running a stock market trading business in the name of “Explore Technologies” and induced the complainant and several others to invest money by assuring monthly returns of 6% and guaranteeing no capital loss. Believing the representations made in the brochure and bond papers, the complainant and his family members allegedly invested an amount of Rs.1.35 crores, while several other investors also invested varying amounts. It is alleged that the accused failed to pay the promised returns and did not refund the invested amounts despite repeated demands. Based on the said complaint, a case in Crime No.150 of 2025 was registered on 15.11.2025 by CCS, DD, Hyderabad, for the offences under Sections 316(4) and 318(4) of the BNS and Section 5 of the TSPDFE Act, 1999, and the investigation was taken up by the concerned ACP.

3. Heard Sri Nageshwar Rao learned counsel for petitioner, and Sri D. Arun Kumar, learned Additional Public Prosecutor appearing on behalf of the respondent – State.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case without any prima facie material attracting the alleged offences. He contended that the investigation agency has merely reproduced the contents of the complaint without conducting any preliminary enquiry or collecting cogent evidence, and the petitioner was arrested in a mechanical manner. He asserted that even if the allegations in the FIR are taken at face value, they do not constitute the offences alleged against the petitioner. He averred that there is no date of deposit, therefore, Section 5 of TGPDFE Act itself is not applicable. He submitted that the investigation in the case is completed. 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 there are serious allegations against the petitioner. Therefore, he prayed the Court to dismiss the criminal petition.

6. Having regard to the rival submissions and on going through the material placed on record, it is noted that LWs.1 to 13 were examined, whereunder they are shown as victims who had

invested varying amounts with the petitioner. According to the de facto complainant, he had been receiving returns from the date of investment and it is only during the last two months that the returns have not been paid. It is also noted that the total amount involved in the case is approximately three crores. Considering the period of incarceration undergone by the petitioner and the fact that the investigation appears to be completed, this Court deems it fit to allow this Criminal Petition and enlarge the petitioner on bail, subject to following the below conditions:

- i. The petitioner shall execute a personal bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) with two sureties for a like sum each, to the satisfaction of the XII Additional Chief Metropolitan Magistrate, at Nampally.
- 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: 23.12.2025
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K. SUJANA, J

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