

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.3238 of 2026

DATE: 17.03.2026

BETWEEN:

Mohammed Ashfaq

.....petitioner/accused No.2

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 No.2 in Crime No.2319 of 2025 before the Cyber Crimes Police Station, Hyderabad, registered for the offence punishable

under Sections 66-C, 66-D of ITA-2000-2008, 318(4), 319(2), 336(3), 338, 340(2) of BNS.

2. The brief facts of the case are that the de facto complainant received WhatsApp messages from a person introducing herself as “Meena Bhat” and added him to a group named “86 DBS India Wealth Growth Investment Group,” promising high returns through stock market and IPO investments. Believing the representations, the complainant transferred various amounts to different bank accounts as instructed and allegedly lost a total amount of Rs.49,90,000/-. Later, when he refused to deposit further money, the fraudsters blocked him from the group. Based on the complaint, a case was registered for the above said offences. During investigation, police alleged that an amount of Rs.13,50,000/- from the cheated amount was transferred to an IndusInd Bank account linked to M/s Ibrahim Bros, which is alleged to be connected to the petitioner. The petitioner was arrested on 05.01.2026 and remanded to judicial custody.

3. Heard Sri P. Vikas Raj, learned counsel appearing on behalf of the petitioner as well as Sri M. Ramachandra Reddy,

learned Additional Public Prosecutor appearing on behalf of the respondent – State.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and has been falsely implicated in the case and that the petitioner is a small businessman running a general store and has no connection with the alleged cyber fraud or the WhatsApp investment group. The only allegation against the petitioner is based on bank transactions, and there is no direct evidence to show that he contacted the complainant or participated in the fraudulent scheme. He contended that the petitioner has been in judicial custody since 05.01.2026 and the investigation is mainly based on documentary and electronic records which are already in the possession of the police. Therefore, he prayed the Court to grant bail to the petitioner by allowing this Criminal Petition.

5. Learned Additional Public Prosecutor opposed the petition contending that the complainant was cheated to the tune of Rs.49,90,000/- in a well-organized cyber fraud by persons operating through a WhatsApp investment group. During investigation it was revealed that a sum of Rs.13,50,000/- from the cheated amount was transferred to

the bank account linked to the petitioner's establishment, indicating his involvement in the fraudulent transactions. He contended that the investigation is still in progress and other accused persons are absconding. Therefore, he prayed the Court to dismiss the Criminal Petition.

6. In the light of the submissions made by both the learned counsel and a perusal of the material available on record, it appears that the petitioner is in jail since 05.01.2026. As seen from the record, the material part of the investigation has been completed and L.Ws.1 to 10 witnesses have been examined. Considering the facts and circumstances of the case and the incarceration period of the petitioner, this Court deems it fit to grant bail to the petitioner, 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) each, with two sureties for a like sum each to the satisfaction of the IX

Additional Chief Judicial Magistrate,
Nampally, Hyderabad.

- ii. The petitioner shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (8) week or till filing of charge sheet whichever is earlier, for the purpose of investigation, and thereafter, as and when required.
- iii. The petitioner shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.(presently, Section 480(3) of the BNSS).

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

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SAI

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