IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HONOURABLE SRI JUSTICE E.V.VENUGOPAL

CRIMINAL PETITION No.7525 of 2026

DATE: 21.05.2026

BETWEEN:

Vadiyavath Tarasingh

Petitioner/Accused

And

The State of Telangana
P.S. Cyber Crime,
High Court of Telangana

...Respondent

O R D E R

This Criminal Petition is filed praying this Court to enlarge the petitioner/Accused on anticipatory bail in connection with Crime No.281 of 2026 on the file of the Cyber Crime Police Station, Malkajgiri District, registered for the offences punishable under Sections 316(2), 318(4), 319(2), 338 of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Sections 66-C, 66-D of the Information Technology Act, 2000 (for short 'IT Act').

2. Heard Sri.A.Ravinder Reddy, learned Senior counsel appearing for Sri Thakur Rishab Dev Singh, learned counsel for the petitioner and Sri Arun Kumar Doddla, learned Additional Public Prosecutor appearing for the respondent -State.

3. The case of the prosecution is that the petitioner has not been arrayed as an accused in FIR No.281 of 2026 dated 28.03.2026, registered for the offences punishable under Sections 316(2), 318(4), 319(2), and 338 of the BNS and Sections 66-C and 66-D of the IT Act. He would submit that based on the complaint lodged by the *de facto* complainant, the FIR was registered alleging that on the pretext of investments to the tune of Rs.87,70,000/- and on the assurance of high profits, the *de facto* complainant was induced to invest in the IPO of Ashapura Minechem Ltd., thereby suffering a loss of Rs.87,69,000/-.

4. The learned senior counsel would submit that during the course of investigation, it was noticed that certain transactions had taken place between the *de facto* complainant and the petitioner, who is stated to be running a goshala in the name and style of Gurunanak Goshala Telangana (Regd.No.659/2021), situated at D.No.38/5, JNNURM Colony, Abdullapurmet Mandal, Ranga Reddy District and that since the petitioner is a resident of H.No.4-5/B, Maisamma Palgu Thanda, Kuppagandla, Veldanda, Nagar Kurnool District, the question of the petitioner absconding or evading the investigation does not arise.

5. The learned Senior Counsel further submits that the petitioner's account has been fallen prey to such illegal transactions where it is noticed that admittedly some amount has been deposited in the account of the petitioner through the account of *de facto* complainant and immediately, within a fraction of minutes, the said amount has been transferred to other accounts and that the petitioner is not a beneficiary out of the said transactions.

6. Learned Senior Counsel submitted that since the petitioner has expressed his willingness to cooperate with and assist in the investigation and as the petitioner's account had fallen into a vicious cycle of multiple transactions, the petitioner cannot be treated as a beneficiary of the proceeds of crime. He further submitted that the *de facto* complainant had admittedly subscribed to online stock market and IPO transactions, in which the petitioner had no involvement whatsoever. The petitioner was neither the custodian of such transactions nor engaged in any business involving the transfer of funds from one account to another. Therefore, the question of the petitioner's involvement in the said transactions does not arise.

7. He would further submit that except for Section 338 of the BNS, the other offences alleged against the petitioner, namely Sections 316(2), 318(4), and 319(2) of the BNS, along with Sections 66-C and 66-D of the IT Act, fall within the ambit of the guidelines laid down by the Hon'ble Apex Court in ***Arnesh Kumar v. State of Bihar***[1], as the prescribed punishment for the said offences is imprisonment for a term not exceeding seven years. Insofar as Section 338 of the BNS is concerned, he would contend that the ingredients necessary to attract the offence relating to fabrication of documents are wholly absent against the petitioner. For the sake of reference, Section 338 of BNS is extracted hereunder:-

> *"338.* ***Forgery of valuable security, will, etc.—*** *Whoever forges a document which purports to be a valuable security or a will, or an authority to adopt a*

[1] (2014) 8 SCC 273

> *son, or which purports to give authority to any person to make or transfer any valuable security, or to receive the principal, interest or dividends thereon, or to receive or deliver any money, movable property, or valuable security, or any document purporting to be an acquittance or receipt acknowledging the payment of money, or an acquittance or receipt for the delivery of any movable property or valuable security, shall be punished with imprisonment for life, or with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine."*

Stating so, he seeks to grant anticipatory bail to the petitioner by imposing certain conditions.

8. Learned Additional Public Prosecutor, while opposing the same, submitted that admittedly the funds of the *de facto* complainant had been subjected to forgery and therefore, the petitioner was required for further investigation. It was further contended that in the event anticipatory bail was granted, the petitioner would not co-operate with the investigation and consequently, the investigation could not be carried to its logical conclusion, particularly when it had been noticed that the money belonging to the *de facto* complainant was stated to have been transacted through the account of the petitioner as well. On the aforesaid grounds, he sought dismissal of the instant criminal petition.

9. This Court, having heard the submissions made by the learned senior counsel for the petitioner as well as the learned Additional Public Prosecutor and upon perusing the material placed before this Court, finds that admittedly, the funds have been transferred from the *de facto* complainant's account to the petitioner's account and further examination of the Bank accounts', statements enclosed in the criminal petition would demonstrate that the transactions made into the petitioner's account have further been transferred to the other accounts which require further detailed examination and the said aspect would only be ascertained upon conducting detailed examination. In view of the willingness expressed by the petitioner to co-operate with the investigation and considering the facts and circumstances of the case, this Court is inclined to grant pre-arrest bail to the petitioner herein subject to the following terms and conditions:-

i. The petitioner shall surrender before the Cyber Crime Police Station, Malkajgiri District, 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 like sum each.

ii. On such release, the petitioner shall appear before the concerned Investigating Officer on every Monday and Tuesday between 10:00 a.m., and 05:00 p.m., for a period of eight (8) weeks or till filing of the charge sheet, whichever is earlier and thereafter, as and when required.

iii. The petitioner shall co-operate with the Investigating Officer and shall not tamper with the evidence directly or indirectly.

iv. The petitioner shall deposit his passport, if any, before the learned trial Court and he shall not leave the jurisdiction limits of the learned trial Court without prior permission.

v. The petitioner shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.(presently, Section 480(3) of the BNSS).

vi. In the event of any breach of the above conditions, the respondent is at liberty to seek cancellation of the petitioner's bail.

10. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

E.V. VENUGOPAL, J

Date: 21.05.2026
ysk/bb

THE HONOURABLE SRI JUSTICE E. V. VENUGOPAL

<u>CRIMINAL PETITION No.7525 of 2026</u>

<u>DATE: 21.05.2026</u>

Bb/ysk