IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

CRIMINAL PETITION No.8156 OF 2026

DATE : 17.06.2026

Between:

Boddula Ajay and another.

...Petitioners-accused Nos.3 and 4

AND

The State of Telangana and another.

...Respondent

ORDER:

This Criminal Petition is filed under Section 438 of the *Code of Criminal Procedure*, 1973 (for short, "Cr.P.C"), seeking grant of anticipatory bail in connection with Crime No.55 of 2026 on the file of the Economic Offences Wing, Cyberabad.

2. The petitioners are arrayed as Accused Nos.3 and 4 in FIR No.55 of 2026. The crime has been registered for the offences punishable under Sections 318(4), 316(2), 351(2), 127(2) read with 61(2) of the *Bharatiya Nyaya Sanhita*, 2023 (for short, "BNS") and Section 5 of the *Telangana Protection Of Depositors Of Financial Establishments Act*, 1999.

3. Heard Mr.K.G.Krishna Moorthy, learned senior Counsel appearing for the petitioner, and Mr.Vivekananda Reddy, learned Public Prosecutor representing the respondent-State.

4.1. The prosecution case, in brief, is that the petitioners, along with the other accused, are allegedly engaged in real estate and construction activities under the name and style of *ASR Heights Private Limited*. It is alleged that they represented to the de facto complainant and other prospective investors that they had secured lucrative real estate and construction projects requiring substantial financial investment and induced them to invest monies by assuring returns at the rate of 4% per month on the amounts deposited. Acting upon such representations and assurances, the de facto complainant is stated to have invested considerable sums from the year 2023 onwards through bank transfers, cash transactions, and other modes of payment.

4.2. The prosecution further alleges that when the de facto complainant demanded repayment of the amounts invested, the accused persons avoided repayment and allegedly subjected her to threats, abuse, and acts amounting to criminal intimidation. Alleging that the accused persons had dishonestly induced her to part with substantial amounts under the guise of investment opportunities and thereafter harassed and threatened her upon demand for repayment, the de facto complainant lodged the present complaint, on the basis of which the crime came to be registered.

Submissions on behalf of the Petitioners:

5.1. Learned senior counsel appearing for the petitioners submits that the petitioners are merely the brother and a close relative of accused Nos.1 and 2 and that the allegations contained in the complaint are predominantly directed against accused Nos.1 and 2, who are alleged to have solicited the investments from the de facto complainant. It is contended that even upon a plain reading of the complaint, no specific overt act, inducement, representation, or transaction is attributed to the petitioners.

5.2. He further submits that the petitioners have no connection whatsoever with *ASR Heights Private Limited* or its management and that no material has been produced at this stage to demonstrate their participation in the affairs of the said company or in the alleged collection of monies from the de facto complainant. It is also contended that the allegations pertaining to wrongful confinement and criminal intimidation are bald, omnibus in nature, and unsupported by any contemporaneous material, electronic record, witness statement, or documentary evidence.

5.3. It is further submitted that petitioner No.2 is a 68-year-old woman suffering from age-related ailments and that both petitioners are permanent residents within the jurisdiction of this Court, having deep roots in society, with no likelihood of absconding or evading the process of law. Learned counsel assures the Court that the petitioners are willing to cooperate fully with the investigation, to appear before the Investigating Officer as and when required, and to abide by any condition that may be imposed by this Court. On these grounds, learned counsel seeks the grant of anticipatory bail.

Submissions of the Prosecution:

6. Per contra, the learned Additional Public Prosecutor opposed the petition and submitted that the names of the petitioners have been specifically mentioned in the complaint dated 22.05.2026. According to the

prosecution, the allegation against the petitioners is that they actively promoted the investment scheme and, acting upon their repeated assurances regarding the safety and profitability of the proposed investments, the de facto complainant deposited substantial amounts. It is further submitted that the complaint was lodged only on 22.05.2026, that the investigation is still at a nascent stage, and that grant of anticipatory bail at this juncture may prejudice the investigation and impede efforts to ascertain the exact role played by each accused person. Accordingly, dismissal of the petition is sought.

Analysis and conclusion:

7. I have carefully considered the rival submissions and perused the materials on record.

8. The allegations against the petitioners, as discernible from the complaint, are that they, along with the other accused, were associated with the promotion of the real estate and construction business activities and that, on account of their assurances and representations, the de facto complainant was persuaded to invest monies. At the same time, it is equally evident that the complaint does not, at this stage, attribute any distinct act of inducement, receipt of money, execution of agreements, operation of bank accounts, or direct participation in the alleged financial transactions specifically to the petitioners, except mentioning their names and alleging that they supported the business activities undertaken by the principal accused.

9. While it is trite that a First Information Report is not expected to contain an exhaustive account of all evidentiary details, the Court, while exercising jurisdiction under Section 438 of the *Code of Criminal Procedure*, 1973, is required to consider the nature and gravity of the accusation, the necessity for custodial interrogation, the antecedents of the accused, the likelihood of absconding, and the possibility of tampering with evidence.

10. The allegations in the present case substantially pertain to financial transactions which are stated to have been undertaken through banking channels and other traceable modes. The petitioners dispute their involvement in the affairs of the company and claim that they have been falsely implicated merely on account of their relationship with accused Nos.1 and 2. At this stage, without expressing any opinion on the merits of the rival contentions and leaving all issues open for investigation, this Court finds that the material presently available does not disclose any compelling circumstance necessitating custodial interrogation of the petitioners.

11. Further, as per the materials the petitioners are permanent residents of the city, petitioner No.2 is an elderly woman stated to be suffering from age-related ailments, and both petitioners have unequivocally undertaken to cooperate with the investigation. There is also no material placed before this Court to indicate that they are likely to abscond, influence witnesses, tamper with evidence, or otherwise obstruct the course of investigation.

12. Having regard to the nature and tenor of the allegations, the predominantly documentary character of the transactions alleged, the

absence of specific material demonstrating the necessity for custodial interrogation, the petitioners' willingness to cooperate with the investigation, and the need to balance the interests of a fair investigation with the constitutional guarantee of personal liberty, this Court is of the considered opinion that the petitioners have made out a fit case for grant of anticipatory bail, subject to such conditions as may be deemed appropriate to ensure their continued cooperation with the investigating agency.

13. Accordingly, the Criminal Petition is allowed. The petitioners/Accused Nos.3 and 4 shall be enlarged on anticipatory bail in Crime No.55 of 2026 on the file of the Economic Offences Wing, Cyberabad, subject to the following conditions:

(A) The petitioners shall surrender before the Station House Officer, Economic Offences Wing, Cyberabad, on or before 25.06.2026. Upon such surrender or on arrest, the Station House Officer shall release the petitioners on bail on each of them executing 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 said officer.

(B) The petitioners shall appear before the Station House Officer every Thursday between 09:00 a.m. to 2:00 p.m. for a period of twelve (12) weeks from the date of their release on bail and shall cooperate with the investigation in all respects.

(C) The petitioners shall furnish their complete residential address, mobile number and other contact particulars to the Investigating Officer and shall promptly intimate any change therein.

(D) The petitioners shall not directly or indirectly induce, threaten, influence, or promise any person acquainted with the facts of the case, nor shall they tamper with prosecution evidence in any manner whatsoever.

(E) Any violation of the above conditions shall entail cancellation of bail in accordance with law. In such an event, the prosecution shall be at liberty to seek cancellation of bail, and the competent Court shall consider the same and pass appropriate orders in accordance with law.

14. Pending miscellaneous applications, if any, shall stand closed.

N.TUKARAMJI, J

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