

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
MONDAY, THE TWENTY THIRD DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 9719 OF 2025

Between:

1. Vedurupaka Vinay Kumar, S/o. (Late) Veera Raju, Aged about 57 years, R/o. D.No 16-918/1, Srikanthnagar, Arilova, Visakhapatnam
2. Smt. Vedurupaka Pavani, W/o. V. Vinay Kumar, Aged about 45 years, R/o. D.No 16-918/1, Srikanthnagar, Arilova. Visakhapatnam

Petitioners/Accused no.1 and 2

AND

1. State of Andhra Pradesh, Rep: by its Public Prosecutor, High Court of Andhra Pradesh, Nelapadu, Amaravathi, Guntur District
Respondent/Complainant
2. Sakala Ganesh, S/o. Sakala Sathyam, aged about 51 years, R/o.D.No.43-17-8, Sai Sundar Residency, Venkata Raju Nagar, New Colony, Visakhapatnam - 530016.
Respondent/Respondent no.2

(Respondent No.2 is impleaded as per the Court order dated 18.02.2026 in I.A.No.2 of 2025 in CrI.P.No.9719 of 2025.)

Petition under Section 482 of BNSS is filed praying that in the circumstances stated in the affidavit filed in support of the Criminal Petition, the High Court may be pleased to pass Orders in terms of Section 482 of BNSS, by directing the SHO IV Town Police Station, Visakhapatnam to release the Petitioners / Accused No. 1 and 2 on bail in the event of their arrest in Cr.No. 158 / 2025, dt: 25.07.2025 on the file of SHO, IV Town Police Station, Visakhapatnam for the offence punishable Under Sections 318 (4) BNS, 76 (3) CFA. 21 (1) (2) (3) of TBUDS Act in the interest of justice.

The petition coming on for hearing, upon perusing the Petition and the memorandum filed in support thereof and upon hearing the arguments of Sri MSVS SUDHA RANI Advocate for the Petitioner, PUBLIC PROSECUTOR for the Respondent No.1, the Court made the following.

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA**CRIMINAL PETITION NO: 9719/2025****ORDER :**

The Criminal Petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity 'the BNSS') by the Petitioners/Accused Nos.1 and 2 for granting of pre-arrest bail in connection with Cr.No.158/2025, dated 25.07.2025 on the file of SHO, IV Town Police Station, Visakhapatnam, registered for the alleged offences punishable under Sections 318(4) of the Bharatiya Nyaya Sanhita, 2023 (for brevity 'the BNS'), Section 76(3) of the Chit Fund Act, 1982 and Section 21(1)(2)(3) of The Banning of Unregulated Deposit Schemes (TBUDS) Act, 2019 (for short 'the TBUDS Act').

2. Heard Ms.MSVS Sudha Rani, learned Counsel for the Petitioner and Mrs. K. Priyanka Lakshmi, learned Assistant Public Prosecutor on behalf of the State.

3. The case of the prosecution, in brief, is that the defacto complainant lodged a complaint alleging that the Accused Nos.1 and 2 cheated the defacto complainant by organizing unauthorized chits in the name and style of Sri Lakshmi Finance and Chits and collected monthly chits subscription amounts and failed to pay their chit amounts of Rs.35,00,000/- out of Rs.40,00,000/-, thereby committed offences punishable under Sections 318(4) of the BNS, Section 76(3) of the CFA and Section 21(1)(2)(3) of the TBUDS Act.

4. Learned counsel for the petitioners would submit that petitioners, who are wife and husband, are innocent and have no connection whatsoever with the alleged crime, and that they have been falsely implicated in the present case. It is contended that they are not engaged in the business of conducting chit funds. Learned counsel further submits that their son, aged about 31 years, is suffering from a mental disorder and requires constant care and supervision. He further submits that, on complaints lodged by two other victims, crimes were registered against the petitioners in Cr.No.41 of 2025 of I Town Police Station, Visakhapatnam, and Cr.No.161 of 2025 of Arilova Police Station, wherein they were granted regular bail and have been strictly complying with the conditions imposed by the Court. It is submitted that the petitioners have adhered to all bail conditions since their release and undertake to abide by any conditions that may be imposed by this Hon'ble Court. Learned counsel for the petitioners finally prays to allow the petition by imposing any conditions.

5. Learned Assistant Public Prosecutor vehemently opposed the petition and submitted that the petitioners were actively involved in the commission of the offences alleged by the de facto complainant, which involve a huge amount of money. It is further contended that, if the petitioners are granted pre-arrest bail, there is every likelihood of their tampering with the evidence and hampering the ongoing investigation. On instructions, she further submits that with regard to the mental condition of the petitioners' son, he is suffering from 75% mental disability.

6. Considering the submissions made and upon keen perusal of the material placed on record, having regard to the fact that the petitioners were earlier released on regular bail in Cr.No.41 of 2025 of I Town Police Station, Visakhapatnam, and Cr.No.161 of 2025 of Arilova Police Station, and have been complying with the conditions imposed therein, coupled with the circumstance that their son is suffering from 75% mental disability and requires constant care and supervision, this Court is inclined to grant pre-arrest bail to the petitioners/Accused Nos.1 and 2.

7. In the result, the Criminal Petition is allowed with the following conditions:

- i. The petitioners/Accused Nos.1 and 2 shall appear before the concerned Magistrate Court within a period of one (1) week from today and shall furnish personal bonds for Rs.20,000/- (Rupees twenty thousand only) with two sureties each for a like sum each to the satisfaction of the concerned Court;
- ii. On release, the petitioners/Accused Nos.1 and 2, shall appear before the Station House Officer concerned, once in a week i.e., on every Saturday, between 10:00 AM and 05:00 PM, till filing of charge sheet.
- iii. The petitioners/Accused Nos.1 and 2 shall make themselves available for investigation as and when required and shall cooperate with the Investigating Officer for further investigation.
- iv. The petitioners/Accused Nos.1 and 2, shall not cause any threat, inducement or promise to the prosecution witnesses;

- v. The petitioners/Accused Nos.1 and 2 shall not leave the district limits without the express permission from the concerned Court.
 - vi. The petitioners/Accused Nos.1 and 2 shall surrender their passports, if any, to the Court concerned. If they claim that they do not have passports, they shall submit an affidavit to that effect to the Court concerned.
8. In the event of violation of any of the above conditions, the prosecution shall be at liberty to seek cancellation of bail.
9. It is also made clear that the observations made in this order are only for the purpose of deciding the bail application and they shall not be construed as opinion on the merits of the Crime.

As a sequel thereto, the miscellaneous applications, if any, pending in this Criminal Petition shall stand closed.

Sd/- N. NAGAMMA
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Special Judge for Trial of Cases under Banning of Unregulated Deposit Schemes, 2019 –cum-Principal District & Sessions Judge, Visakhapatnam.
2. The Station House Officer, IV Town Police Station, Visakhapatnam.
3. One CC to SRI. MSVS SUDHA RANI Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court of A.P., Amaravati [OUT].
5. **One spare copy**

HIGH COURT

DR.VJP,J

DATED:23/02/2026

BAIL ORDER

CRLP.No.9719 of 2025

ALLOWED

