

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

WEDNESDAY, THE EIGHTH DAY OF OCTOBER,

TWO THOUSAND AND TWENTY FIVE



:PRESENT:

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 10265 OF 2025

Between:

Borigi Nagendra, S/o. Srinu, aged 22 years, R/o. D.No.71-31-1516/1,
Kakara Lova, Gandhigram, Scindia, Pedagantada, Visakhapatnam.

Accused No.2/Petitioner

AND

The State of Andhra Pradesh, Rep.by it's Public Prosecutor, High Court
of Andhra Pradesh, Amaravati.

Respondent

Petition under Section 480 & 483 of BNSS., is filed praying that in the circumstances stated in the grounds filed in support of the petition, the High Court may be pleased to enlarge him on bail on such terms and conditions as deemed fit and proper in the circumstances of the case in FIR No.171/2025, dt.01.08.2025 of Cyber Crime Police Station, Visakhapatnam Commissionerate.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri. TAMADA RAMJI VARMA, Advocate for the Petitioner and of PUBLIC PROSECUTOR, for the Respondent;

The Court made the following:

The Court made the following:

ORDER:

The Criminal Petition has been filed under Sections 437 and 439 of the Code of Criminal Procedure, 1973 (for brevity 'the Cr.P.C.)/ Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity 'the BNSS'), seeking to enlarge the petitioner/Accused No.2 on bail in Cr.No.171 of 2025 of Cyber Crime Police Station, Visakhapatnam District, was registered against the petitioner/Accused No.2 herein for the offences punishable under Sections 143 (1), 140 (3), 146, 127(4), 308 (2), 318 (4), 319(2) read with 61 (2) of the Bharatiya Nyaya Sanhita, 2023 (for brevity 'the BNS'), 66-C, 66-D of the Information Technology Act-2000.

2. The case of the prosecution is that on 01.08.2025, the complainant stated that he had been residing in Arilova, Visakhapatnam, for the past 15 years. He and his childhood friend, Kothala Rambabu, were introduced to Sundi Naveen, who promised high-paying jobs in Cambodia as coffee makers with salaries of Rs.60,000/- to Rs.1,00,000/- per month. Trusting him, they paid a total of Rs.2,60,000/- for the jobs, including flight tickets and other expenses. On 29.05.2025, they flew from Visakhapatnam to Kolkata and then to Thailand, from where an associate, Nagendra, assisted them in crossing the Cambodia border. Once in Cambodia, they were handed over to Akula Rajasekhar @ Roy, who sold them to a company.

The company demanded Rs.3 lakhs each to release their passports and threatened them with torture and denial of food to force them into cyber scam activities. The complainant alleged that they were victims of human trafficking and cyber slavery and requested legal action against Sundi Naveen, Nagendra, and Akula Rajasekhar @ Roy, along with compensation of Rs.10,00,000/- for the financial loss suffered. Hence, the FIR.

3. Sri T.Ramji Värma, the learned counsel for the petitioner contends that the petitioner is innocent of the alleged offence and he has been falsely implicated by the police. It is further submitted that the petitioner is the sole earning member of the family and, therefore, his incarceration would cause undue hardship to his dependents. The petitioner undertakes to strictly adhere to any conditions that may be imposed by this Court. In light of the foregoing submissions, learned counsel prays that the present petition be allowed in the interest of justice.

4. *Per contra*, Ms.P.Akhila Naidu, the learned Assistant Public Prosecutor vehemently opposed to grant of bail to the petitioner, submitting that the investigation is still underway and several material witnesses remain to be examined. It is contended that if the petitioner is released on bail at this stage, there is a strong likelihood that he may abscond, thereby

hampering the ongoing investigation and evading the process of law. In view of the foregoing submissions, it is urged that the petition be dismissed.

5. Heard the learned counsel for the petitioner and the learned Assistant Public. Perused the record.

6. As seen from the record, the allegation against the petitioner/Accused No.2 is that he booked a cab for the transportation of the victim from Thailand to Cambodia. The petitioner was arrested on 26.08.2025 and he has been in judicial custody for the past 46 days. The petitioner has come down permanently from Thailand. The prime role in the offence was played by Accused Nos.1 and 3, as per the case of the prosecution. The petitioner himself went to the police station to inquire about his complicity in this case. The petitioner is a permanent resident of Kakara Lova, Gandhigram, Scindia, Pedagantada, Visakhapatnam, and he has got fixed abode. If certain stringent conditions are imposed on the petitioner, the interest of justice would be sub-served.

7. Considering the nature and gravity of the allegations levelled against the petitioner/Accused No.2, his alleged role in the case, and the period of detention undergone by the petitioner in judicial custody, this Court is inclined to enlarge the petitioner/Accused No.2 on bail with the following stringent conditions:

- i. The petitioner/Accused No.2 shall be enlarged on bail subject to he executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only), with two sureties each for the like sum each to the satisfaction of the learned Chief Judicial Magistrate at Visakhapatnam.
- ii. The petitioner/Accused No.2 shall appear before the Station House Officer concerned on every Saturday in between 10:00 am and 05:00 pm, till cognizance is taken by the learned the Trial Court.
- iii. The petitioner/Accused No.2 shall not leave the limits of the District without prior permission from the Station House Officer concerned.
- iv. The petitioner/Accused No.2 shall not commit or indulge in commission of any offence in future.
- v. The petitioner/Accused No.2 shall cooperate with the investigating officer in further investigation of the case and shall make himself available for interrogation by the investigating officer as and when required.
- vi. The petitioner/Accused No.2 shall not, directly or indirectly, make any inducement, threat or promise to

any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the court or to any police officer.

vii. The petitioner/Accused No.2 shall surrender his passport, if any, to the investigating officer. If he claims that he does not have a passport, he shall submit an affidavit to that effect to the Investigating Officer.

8. Accordingly, the Criminal Petition is allowed.

SD/- T. SRINIVASA RAO
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Chief Judicial Magistrate at Visakhapatnam.
2. The Sessions Judge, Mahila Court Cum VI Additional District Judge, Visakhapatnam.
3. The Superintendent, Central Jail, Visakhapatnam District.
4. The Station House Officer, Cyber Crime Police Station, Visakhapatnam Commissionerate.
5. One CC to Sri. TAMADA RAMJI VARMA, Advocate [OPUC]
6. Two CCs to PUBLIC PROSECUTOR, High Court of Andhra Pradesh, Amaravati. [OUT]
7. **One spare copy**

JSS

HIGH COURT

DR.YLR, J

DATED:08/10/2025

BAIL ORDER

CRLP.No.10265 of 2025

ALLOWED

