



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3521]

FRIDAY, THE TWELFTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 12200/2025

Between:

R AKHIL, S/O RAJAN AGED ABOUT 25 YEARS, R/O H.NO.156,
UNNIKUMARATHODY HOUSE, KANNIAMPURAM, OTTAPPALAM,
PALAKKAD DISTRICT, KERALA

...PETITIONER/ACCUSED

AND

THE STATE OF ANDHRA PRADESH, Rep. by its Public Prosecutor, High
Court of Andhra Pradesh, Nelapadu, Amaravati, Guntur District. Through
the Sub Inspector, Chittoor I Town Police Station, Chittoor

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

N BHARATH SIMHA REDDY

Counsel for the Respondent/complainant:

PUBLIC PROSECUTOR

The Court made the following:

ORDER:

The Criminal Petition has been filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity 'the BNSS'), seeking to enlarge the Petitioner/Accused No.6 on bail in Crime No.141 of 2025 of Chittoor I Town Police Station, Chittoor District, registered against the Petitioner/Accused No.6 herein for the offences punishable under Section 308(2), 318(4), 319(2), 316(2) read with 3(5), 61(2) of the Bharatiya Nyaya Sanhita, 2023 (for brevity 'the BNS Act'), 66-D of the Information Technology Act-2000.

2. Mr. N. Bharath Simha Reddy, the learned Counsel for the Petitioner, submits that the petitioner has not committed any offence. He is innocent. He was falsely implicated in this case. He has got fixed abode. He is the sole breadwinner of his family. He is ready to abide by any conditions if this Court deems fit to impose by enlarging the petitioner on bail. The wife of the petitioner is a pregnant lady, and because of the cases filed against the petitioner, he had to sell his house.

3. It is further submitted that the petitioner used to do stock market trading business. He got acquainted with Manoj/Accused No.5, who in the course of business asked the petitioner for his bank account details for receiving certain deposits through the company relating to their stock market investment business. The petitioner gave his company bank accounts to Accused No.5.

Accused No.5 alone sold access to the internet banking credentials. The petitioner was not aware that Accused No.5 was using the said accounts for the purpose of mule accounts to receive money intercepted by criminal activities. The petitioner did not receive any commission for giving his account. The petitioner had given access to Accused No.5 solely for the purpose of receiving investments from investors in the stock market investment business. It is urged to allow the petition.

4. In the decision relied upon by the learned counsel for the petitioner, the Hon'ble Apex Court in **Sharad Kumar Sanghi v. Sangita Rane**¹, at paragraph No. 11, observed that when a company has not been arrayed as a party, no proceeding can be initiated against it even where vicarious liability is fastened under certain statutes.

5. *Per contra*, Mr. Neelotphal Ganji, the learned Assistant Public Prosecutor, argued that there are several similar cases reported against the petitioner in Telangana, Karnataka, and Tamil Nadu. Investigation is at a progressive stage, some more material witnesses are to be examined, and it is urged to dismiss the petition.

6. Heard the learned Counsel for the Petitioner and the learned Assistant Public Prosecutor. Perused the record.

7. As seen from the record, the petitioner gave access to his bank account and his father's account. However, Accused No.5, by name Manoj, used to operate them entirely. In that process, on 19.08.2025, the victim,

¹ (2015) 12 SCC 781

Lavanya, deposited Rs.29,78,297/- into the account of the petitioner, which the petitioner came to know about later. On the same day, the entire amount was transferred to eleven different accounts, which the petitioner also later came to know. All the account credentials were with Accused No.5 and his associates. The petitioner was taken into police custody for about five days. Although several cases were registered against the petitioner in Telangana, Karnataka, and Tamil Nadu, in some of those cases, Section 41-A of 'the Cr.P.C.,' / Section 35(3) of 'the BNSS' was applied in respect of the case in Cr. No.42 of 2025 of CCPS (Hqrs), TGCSB, Hyderabad. The petitioner was arrested on 17.10.2025 and released on 03.11.2025.

8. The FIR in the instant case was registered on 19.11.2025. He has been in judicial custody for the past 23 days only. The accounts of the petitioner and his father were used unauthorizedly for different purposes by Accused No.5. The investigation is at a progressive stage and some more witnesses are yet to be examined. The request for grant of bail to the petitioner at this juncture is not found to be convincing or reasonable.

9. The decision relied upon by the petitioner in ***Sharad Kumar Sanghi*** (*supra*) is not relevant to the case on hand, as the facts and circumstances of that case and the present case are altogether different, inasmuch as the case in ***Sharad Kumar Sanghi*** (*supra*) relates to an offence punishable under Section 420 of 'the IPC'. However, in the instant case, it is alleged that the petitioner and other accused lured innocent people under several

pretexts and got huge amounts transferred from their accounts to the accounts of the accused as mule accounts, thereby committing online frauds, which are rampant in present-day society.

10. Considering the facts and circumstances of the case, the gravity and nature of the allegations levelled against the Petitioner/Accused No.6, this Court is not inclined to grant bail to the Petitioner/Accused No.6 at this juncture. Hence, this Criminal Petition is liable to be dismissed.

11. In the result, the Criminal Petition is dismissed.

As a sequel, Miscellaneous petitions, if any pending, shall stand closed.

DR. Y. LAKSHMANA RAO, J

Date: 12.12.2025
RSI

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THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 12200 of 2025

Date: 12.12.2025
RSI