

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.12273 OF 2025

ORDER :

This criminal petition is filed under Section 480 & 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner/A.2 seeking his enlargement on bail in connection with Crime No.888 of 2025 of Cyber Crimes Police Station, Hyderabad. The offences alleged against the petitioner are under Sections 66 C, 66 D of Information Technology Act, and under Sections 111 (2), 318(4), 319 (2), 336 (3), 338 and 340 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS').

2. The case of the prosecution is that the complainant lodged a report before police stating that he received a Whats app message from mobile No.9032600787 offering him to invest and trade in the stocks, provided suggestions and used to send screenshots of the amount increasing. The task was to deposit the amounts to their account and they told that they are SEBI registered and the company name was ICICI Securities Ltd. Believing the same true, the complainant deposited Rs.2 Lakhs, Rs.5 Laks and Rs.8 Lakhs. After depositing multiple transactions, the profit amount was shown as Rs.91,12,228/- and when he wanted to withdraw the amount they told to deposit Rs.4,30,000/- to withdraw the invested amount and when he expressed his inability to deposit the same the accused

informed that they cannot refund the invested amount and that his account shall be blocked. Then the complainant realized that he was cheated by cyber criminals and requested the police to take necessary action against the accused. Basing on the said complaint, the police registered a case against the accused for the above offenses.

3. Heard Sri K. Venumadhav, learned counsel for the petitioner and Sri D.Arun Kumar, learned Additional Public Prosecutor appearing for the respondent-State.

4. The contention of learned counsel for the petitioner is that all the allegations are against A.1 only. Basing on the confession of A.1, the petitioner is falsely implicated in this case. The petitioner herein is a tax consultant in Pune. The confession of this petitioner is that he along with A.1 used alleged IDFC First Bank account in Cyber fraud is a created one but no record is collected by the investigating authority. Petitioner is in jail from 01.09.2025 and material part of investigation is completed. As such, prayed this Court to grant bail to the petitioner.

5. On the other hand, learned Additional Public Prosecutor opposed bail stating that the investigation is at crucial stage

and it requires analysis of seized electronic devices which are used in the commission of offence and the petitioner needs to be taken into custody to proceed with the investigation. The accused are involved in 13 similar cyber crimes across India and there are many more victims to be identified. As such, requested this Court not to grant bail to the petitioner and to dismiss this petition.

6. Considering the submissions made by the respective counsel and the material placed on record, the allegations against the petitioner herein is that he along with A.1 committed financial fraud deceiving the victims. As seen from the record as of today, only the complainant statement was recorded and no statements of other victims was recorded by the investigating officer. Further, whatever accounts are shown in the remand case diary pertains to A.1. Though the Additional Public Prosecutor stated that the accused are involved in 13 cybercrimes, there is no record to show that any of the account belongs to this petitioner. As such, considering the period of incarceration of petitioner in jail and also the investigation done, this Court deems it fit to grant bail to the petitioner subject to the following conditions:

- i. The petitioner/A.2 shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only), with two

sureties for a like sum each to the satisfaction of IV-Additional Sessions Judge at Hyderabad.

- ii. The petitioner/A.2 shall appear before the concerned SHO at 11:00 a.m., on every Wednesday for a period of eight (8) weeks, for the purpose of investigation and thereafter, as and when required.
- iii. The petitioner/A.2 shall abide by the conditions stipulated in Section 483(2) of BNSS.

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous petitions, if any, pending shall stand closed.

Date :26.09.2025
Rds

K. SUJANA, J

THE HON'BLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION NO.12273 OF 2025

DATE :26.09.2025

Rds