

METROPOLITAN SESSIONS COURT, CYBERABAD
RANGA REDDY DISTRICT AT LB NAGAR

Present: Sri Nandikonda Narsing Rao
Metropolitan Sessions Judge
Ranga Reddy District

Monday, this the 21st day of September, 2020

Tem.CrI.M.P No. 1336 of 2020

in

Crime No. 433 of 2020

(P.S. Bachupally)

Between:

Nagashankera Meenakshi @ Meenakshi,
W/o. Late N. Mahadev, Aged about 29 years,
Occ: Pvt. Service, R/o. Nest Hotel, 100 feet
road, Madhapur, Hyderabad.

...Petitioner/Accused No.4.

And

State of Telangana
Through PS Bachupally
Rep by Additional Public Prosecutor

...Respondent/Complainant

This petition is coming for hearing through Whatsapp Group Video Call in view of complete lockdown of the country and suspension of works in subordinate courts of State of Telangana on account of outbreak of Novel Coronavirus (Covid-19) in the presence of M/s. B.Nagaraju, Advocate for the Petitioner/Accused and of Sri K. Raj Reddy, Additional Public Prosecutor for the State and upon perusal of the material papers and having heard through video conference call, the following order is made:

COMMON ORDER

1. The petitioner who is accused No.4 involved in Crime No. 433 of 2020 of PS Bachupally registered for the offence under Sections 406, 420 of IPC and Section 5 of TSPDFE Act has filed this petition under Section 439 of Cr.P.C seeking regular bail. This is the first bail application. The petitioner is in judicial remand since 21-08-2020.
2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor through VC. Perused the record and material placed.
3. The case of the prosecution is that the defacto complainant lodged a complaint against the Swadarthi Infra Private Limited and the complainant approached one person by name Naveen who informed her to come to Pragathinagar then they explained about Swadarthi Infra Pvt. Ltd., Naveen and some of others were forming moving in construction sector and also conduct deposit scheme and the company management about another project which is KPR Elite project which is situated at Bachupally and the complainant contact one person, they proceed to Swadarthi Infra Office at Dwaraka Signature, Madhapur and they brochure and the company offered a flat No. 404 at KPR Elite for Rs.30,00,000/- first the company demanded to pay 50% of amount and on 15-02-2020 paid Rs.1,00,000/- as advance through cheque and on 19-02-2020 through online transfer and 1.5 lakh as swipe the card and on 01-03-2020 through online and on 02-03-2020 paid a cheque of Rs. 2,00,000/- vide cheque and paid through online transfer of Rs.1,00,000/-

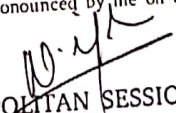
on 02.03.2020 and total paid an amount of Rs. 7,00,000/- the complainant received sale of agreement from the company but she asked them to make corrections at agreement but agent Subbu replied as he need 10 days of time for correction and after that the company management demanded to pay another Rs.2,00,000/- for booking at KPR Elite for Swasthik homes any one from they want to arrange free registration and the Swadarthi Company management and manager Meenakshi demanded Rs. 2,00,000/- and on 05-06-2020 the complainant approach the office and arrange a flat at KPR Elite, the complainant informed them she was not interested on this and return back the amount to her and the complainant made calls to the offence but they did not respond and later she came to know it is a fraud and scam and takes necessary action against Swadarthi Infra Company Pvt. Ltd, Management.

4. The learned counsel for the petitioner contended that the petitioner is innocent and he is nothing to do with the alleged offence and the entire allegations made against her are false, baseless and concocted and being an employee the petitioner/A4 she is foisted a false allegation against her and the petitioner is a widow women having 8 years old child and prayed to grant bail and on the other hand the learned Addl. Public Prosecutor opposed to grant bail.

5. POINT: On perusal of the material placed, as it is seen that the petitioner being an employee of Swadarthi Infra Company Pvt. Ltd Management has alleged to have committed a huge scam of Rs. 150 to 200 crores by calling various customers and got invested huge amounts by way of deposits and it is further contended that the company offered a flat at KPR Elite to the defacto complainant and the defacto complainant paid an amount of Rs. 7,00,000/- and even they did not choose to do so and that the petitioner/A4 also involved in another offence which is pertaining to Swadarthi Infra Company Pvt. Ltd vide Crime No. 622 of 2020 and she was produced in this case through PT Warrant on 21.08.2020 and is also submitted by the petitioner that the petitioner is a widow women having 8 years old child, who is dependent upon her. Considering above said circumstances as the petitioner/A4 is in judicial custody since more than one month, as such I hold that it is a fit case to grant bail.

6. In the result, the petition is allowed subject to condition that the Petitioner/A4 shall execute a personal bond for a sum of Rs.1,00,000/- with two sureties for likesum each to the satisfaction of X AMM, Cyberabad at Kukatpally and the sureties shall place their identity and residential proofs such as voter ID card or Aadhar card or Ration card. If the petitioner furnishes the sureties of FDRs, the sureties shall furnish the copy of bank pass book. If the sureties furnish solvency certificates such as property or salary certificates, they shall be subject to verification of genuineness of the sureties through police. Further, the petitioner shall not interfere with the investigation and shall not reside within the limits of the jurisdiction of PS Bachupally. In case of violation of conditions, the prosecution is at liberty to take steps against the petitioner for cancellation of the bail.

Dictated to the Stenographer, typed by her corrected and pronounced by me on this the 21st day of September, 2020.


METROPOLITAN SESSIONS JUDGE
CYBERABAD, R.R. DISTRICT

Copy to:
1) The X AMM, Cyberabad at Kukatpally
2) SHO, PS Bachupally
3) Counsel for the Petitioner/Accused No.4.