



2025 INSC 1174

Non-Reportable**IN THE SUPREME COURT OF INDIA
CRIMINAL ORIGINAL JURISDICTION****Writ Petition (Criminal) No. _____ of 2025
[@Diary No.26673 of 2025]****Odela Satyam & Anr.****...Petitioners****Versus****The State of Telangana & Ors.****...Respondents****W I T H****Writ Petition (Criminal) No.269 of 2025****Writ Petition (Criminal) No.313 of 2025****Writ Petition (Criminal) No.320 of 2025****Writ Petition (Criminal) No.321 of 2025****Writ Petition (Criminal) No.319 of 2025****J U D G M E N T****K. VINOD CHANDRAN, J.**

1. The Writ Petition (Criminal) Dy. No.26673 of 2025 was filed by the father of the Partner and Additional Director and the friend of the Managing Director of a firm, in which the accused have now filed an application for substitution by CrI. M.P. No.187608 of 2025, which is allowed. Writ Petition (CrI.)

No.269 of 2025, Writ Petition (Crl.) No.313 of 2025 and Writ Petition (Crl.) No.320 of 2025 are filed by persons in management of the firm, and Writ Petition (Crl.) No.319 of 2025 and Writ Petition (Crl.) No.321 of 2025 are filed by the wife and father of the petitioner in Writ Petition (Crl.) No.320 of 2025. There is no FIR as such registered against the petitioners in Writ Petition (Crl.) Nos. 319 of 2025 & No.321 of 2025, as we see from the records.

2. The petitioners have filed the above writ petition seeking clubbing of FIRs filed in various States and also seeks for clubbing of future FIRs to be filed against the firm, its partners and management officials. The case for clubbing of such FIRs is projected on the ground that the multiple FIRs have been lodged on the very same cause of action and the investigation and prosecution has to be brought under one roof, which would be enabled by clubbing all the FIRs to one single Police Station where the first crime was registered.

3. The State of Telangana, where the maximum number of crimes were registered, that too by the Economic Offences Wing, Cyberabad has filed counter affidavit resisting the prayers. It is pointed out that the crimes were committed by

the accused in different places of the country, though the allegation is same, of defalcation of money received from unsuspecting investors. The *modus operandi* of the crime is the same, but the essential facts are different, and the individual crime proper has ramifications which are unique in each such transactions and also involves offences under the enactments in the different States; brought in to ensure protection of investors and depositors in financial institutions. Insofar as the State of Telangana is concerned, the offence alleged would also include those under Telangana Protection of Depositors of Financial Establishments Act, 1999.

4. From the records, it is seen that there are crimes registered in the States of Karnataka, Maharashtra, West Bengal, Delhi, Andhra Pradesh and Rajasthan in addition to Telangana. Multiple FIRs within a State is only in Telangana, wherein four FIRs were registered and Maharashtra, wherein two FIRs were registered.

5. At the outset, it has to be observed that the prayers made in the Writ Petition for clubbing of FIRs from various States and also regarding the future FIRs are overambitious and outright illegal as has been noticed in ***Amandeep Singh***

***Saran v. State of Delhi and Others*¹**. The prayer regarding future FIRs is one which cannot be granted by any court of law. The further contention that a similar relief was granted in ***Radhey Shyam v. State of Haryana*²** by order dated 12.05.2022 should be replicated here also, has been dealt with in ***Aman Deep Singh*¹**. The power exercised under ***Radhey Shyam*²** was under Article 142 of the Constitution of India that too with the consent of the States.

6. Reliance was also placed on ***Amish Devgan v. Union of India and Others*³** wherein the petitioner – accused was a journalist who had been hosting and anchoring a debate show on a TV channel. The petitioner had, in the course of the debate, made some observations about a person revered by a community, which was alleged to have caused hurt and incited religious hatred towards a community. Seven FIRs were registered in various parts of the country. While finding that the petitioner could have approached the High Court for appropriate relief, since detailed arguments were addressed by both sides on maintainability of the FIRs and to avoid

¹ 2023 SCC Online SC 1851

² W.P.(Crl.) No.75 of 2020

³ (2021) 1 SCC 1

multiplicity of litigation, though this Court refused to quash the FIRs but directed investigation to be carried out independently of such refusal. On the second prayer regarding the multiplicity of the FIRs, reliance was placed on ***T.T. Antony v. State of Kerala and Others***⁴, which held that there can be no second FIR where information concerns the same cognizable offence alleged in the first FIR of the same occurrence or incident which gives rise to one or more cognizable offences. However, in ***Upkar Singh v. Ved Prakash and Others***⁵, various decisions after ***T.T. Antony***⁴ was noticed to hold that ***T.T. Antony***⁴ does not preclude the filing of a second complaint in regard to the same incident as a counter complaint nor is the cause of action prohibited by Cr.P.C.

7. This Court in ***Amish Devgan***³ followed the ratio in ***T.T. Antony***⁴ to the effect that the subsequent FIR would be treated as statements under Section 162 of the Cr.P.C. It was held that this would be fair and just to the complainants, at whose behest the FIRs were registered, since they would be in a

⁴ (2001) 6 SCC 181

⁵ (2004) 13 SCC 292

position to file a protest petition in case a closure report is filed by the Police. It was in the above circumstances that the cases at serial Nos. 2 to 7, in the tabulation of cases extracted in the decision was transferred to the Police Station wherein the first FIR was registered.

8. It has to be noticed that therein, the offence was one, of an alleged objectionable statement leading to hurting of religious sentiments telecast in a television show; which stands distinct from the instant case wherein FIRs were registered on the complaints of the investors of depositors who were alleged to have been duped by the firm diverting the funds leading to loss of their life's savings. We cannot forget that after investigation if a charge sheet is filed, the trial will have to be proceeded with, producing witnesses, being the investors of depositors, from the various locations. In which event the clubbing of FIRs from all the States would not be practical.

9. In this context we also refer to the decision in ***Amanat Ali v. State of Karnataka and Others***⁶, wherein also prayer

⁶ (2023) 14 SCC 801

was under Article 32 and 142 for consolidation of FIRs alleging fraud of scam carried out by a certain company. This court followed the principles laid down in ***Amish Devgan***³ and invoked the power conferred under Article 142 of the Constitution of India but only permitted consolidation of the FIRs registered in the State of Madhya Pradesh. The prayer for transfer of cases pending in the States of Karnataka and Jharkhand were specifically rejected.

10. We have to also notice Section 242 of Bharathiya Nagarik Suraksha Sanhitha, 2023 which enables offences of same kind within a year to be charged together. Section 242 provides that when a person is accused of more offences than one, of the same kind, committed within the space of twelve months, from the first to the last of such offences, whether in respect of the same person or not, he may be charged with, and tried at one trial for any number of them not exceeding five.

11. In the present case the FIRs filed are the following:

Sl. No.	FIR No.	Offences under Section	Police Station	Dated	No. of Accused	Current Accused No. & Name
TELANGANA						
1.	10 of 2025	S.318 (4) BNS	EOW, Cyberabad	11.02.2025	20	Yogendra Singh (A2) Kavya Nalluri (A5)

	[Annex P7, Pg.169-201]	S.316 (2) BNS S.5 TSPDFA				Pawan Odela (A7) Aryan Singh Chhabra (A3) Note – Sandeep Kumar while not named in FIR, WP (CrI.) 320 of 2025 pleads that Sandeep is Accused 21 in FIR 10 of 2025
2.	11 of 2025 [@ Annex P8, pg. 202-235]	S.318 (4) BNS S.316 (2) BNS S.5, TSPDFA	EOW Cyberabad	11.02.2025	20	Yogendra Singh (A2) Kavya Nalluri (A5) Pawan Odela (A7) Aryan Singh Chhabra (A3)
3.	12 of 2025 [@ Annex P9, pg.236-242]	S.318 (4) BNS S.316 (2) BNS S.5, TSPDFA	EOW Cyberabad	11.02.2025	1	No. Against Falcon Invoice Discounting Firm & Staff
4.	215 of 2025 [Annex P10, pg. 243-250]	S.318 (4), S.316 (2), S.61 (2) BNS S.5, TSPDFA	Madhapur, Cyberabad	11.02.2025	3	Pawan Odela (A2) Yogendra Singh (A3)
KARNATAKA						
1.	7 of 2025 [Annex P12, pg. 292-300]	S.66 (C), 66 (D) IT Act. 2000 S.21, Banning of Unregulated Deposit Schemes Act, 2019 S.318 (4), 319 (2) BNS	Cybercrime PS, Bengaluru City	20.02.2025	14	Yogendra Singh (A2) Pawan Odela (A3) Kavya Nalluri (A6) Aryan Singh Chhabra (A4)
MAHARASHTRA						
1.	124 of 2025 [Annex P14, pg. 308-321]	S.66(D) IT Act 2000 S.318 (4), 316 (2) BNS	Ambazari, Nagpur City	07.03.2025	2	Falcon & ICICI
2.	210 of 2025 [Annex P19, pg. 364-381]	S.3(5), 318 (4), 316 (2) BNS	Wagle Estate, Thane City	29.03.2025	8	Pawan Odela (A3) Kavya Nalluri (A4) Yogendra Singh (A5)
WEST BENGAL						
1.	71 of 2025 [Annex P15, pg. 322-331]	S.316 (2), 318 (4) BNS	Laketown, Bidhannagar	08.03.2025	3	Pawan Odela (A2) Yogendra Singh (A3)
DELHI						
1.	36 of 2025 [Annex P16, pg.332-343]	S.316 (2), 318 (2), 61(2) BNS S.3 Delhi Protection of Interest of Depositors Act, 2001	EOW New Delhi	20.03.2025	7	Pawan Odela (A3) Kavya Nalluri (A4) Yogendra Singh (A5)
ANDHRA PRADESH						
1.	120 of 2025	S.316 (2), 318 (4), BNS	Amalapuram Town	29.03.2025	1	-

	[Annex P17, pg. 344-348]	S.66 D, IT Act				
RAJASTHAN						
1.	81 of 2025 [Annex P18, pg. 349-363]	S.316 (2), 318 (4), 61 (2) BNS	Sardarpura, Jodhpur	11.04.20 25	6	Yogendra Singh (A1) Kavya Nalluri (A4) Pawan Odela (A6) Aryan Singh (A2)

12. As we noticed, in Telangana there were 4 crimes registered, three by the Economic Offences Wing, Cyberabad and one in Madhapur, Cyberabad. Hence the FIR registered in Madhapur, Cyberabad will stand transferred to Economic Offences Wing, Cyberabad. In the State of Maharashtra, there are two FIRs registered, One in Ambazari, Nagpur city and the other in Wagle Estate, Thane City. The FIR 210 of 2025 registered in Wagle Estate, Thane City will be transferred to Ambazari, Nagpur City. The clubbing of the single FIRs filed in the State of Karnataka, West Bengal, Delhi, Andhra Pradesh and Rajasthan stand rejected.

13. It is made clear that if and when the trial commences, witnesses from the prosecution, if travelling from the police station limits in which the FIR was originally registered to the Court having jurisdiction over the Police Station to which it has been transferred by this order, then necessarily the Court trying the case shall award costs to defray the expenses of

travel and residence, if the residence is necessitated for the purpose of examination of the witnesses, which shall be paid by the accused herein through the Court.

14. We notice that some of the petitioners are under arrest and are languishing in jail. Considering the fact that they have spent months together in jail, they shall be released on bail on such conditions imposed by the Jurisdictional Magistrate, including that of cooperation in the investigation. Others against whom warrants are pending shall not be arrested. The above order shall be continued for a period of six months. Within the six-month period the petitioners shall appear before the Jurisdictional Courts in which the various FIRs are registered praying for regular bail, which shall be considered on the same day and granted on conditions found appropriate including the condition of cooperating with the investigation.

15. The production warrants issued by the Jurisdictional Courts against the petitioners shall not be acted upon for the six months provided herein, within which time the petitioners shall appear before the respective Courts and seek bail. It is made clear that the petitioners would be obliged to

cooperate with the investigation and any failure of that or the other conditions imposed would enable the Investigating Agency to approach the Jurisdictional Court for cancellation of bail. This order granting protection from coercive steps to those who are released on bail and those against whom warrants are pending shall be only in force for the six-month period stipulated herein, within which time the petitioners will approach the jurisdictional courts and if not, the police would be entitled to proceed in accordance with law.

16. The Writ Petitions are disposed of accordingly.

17. Pending applications, if any, shall stand disposed of.

..... **CJI.**
(B. R. GAVAI)

..... **CJI.**
(K. VINOD CHANDRAN)

NEW DELHI;
SEPTEMBER 26, 2025.