

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.523 OF 2015

Rambhadrarao Ravipalli @ Babu

... Applicant

Vs.

The State of Maharashtra

... Respondent

Mr.Vijay Hiremath i/b Swaraj S. Jadhav for the Applicant

Mr.D.P. Adsule, APP, for Respondent – State

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **JUNE 16, 2015**

P.C.:

1. The application is moved for pre-arrest bail as the applicant/accused is being prosecuted for the offences punishable under sections 467,468, 471, 420 r/w 34 of the Indian Penal Code in relation to the C.R. No.19 of 2015 registered with the Kondhwa police station. A police constable has given the complaint against the applicant/accused. It is the case of the prosecution that the applicant/accused, who claims he hails from Khairatabad, Hyderabad, has opened a City Academy and its branches are at Pune, Bangalore, Ahmedabad. He advertised that the degree certificates of various universities can be issued after conducting examination of different courses by giving some concession. Many persons enrolled themselves in this Academy and after fees from these persons were received, it issued certificates for degree or diploma of

various courses and the certificates were used to obtain jobs in various faculties.

2. The learned Counsel for the applicant/accused submitted that no signature of the applicant/accused is appearing on any certificate. The students were enrolled for various courses in different universities and the universities have issued the certificates which were about 11 to 12, as claimed by the police, and are found in the office at Pune were in fact handed over by the students themselves and they were not issued by the Academy of the applicant/accused. He further submitted that the applicant/accused has in fact resigned from this Academy in 2012 as he wanted to make a career in the film industry. He submitted that the police by falsely implicating him has tried to ruin his career. He further submitted that the City Academy is having franchisees at Pune and now he is not in any way associated with either of these franchisees.

3. Learned Prosecutor has opposed the application and as per the instructions given by the Investigating Officer, he submitted that the police have recorded statements of the students, who have supported the case of the prosecution that the certificates which are issued by this Academy are bogus. The learned Prosecutor pointed out that the business of the Academy which is run from a flat is taken on leave and licence basis and

the deed is entered into by the applicant and still it is in his name. Therefore, fact of resignation by the accused is false. He relied on the statements of the Secretary of Higher Secondary Education Board, Hyderabad, who has informed that there is no such Academy or Board or such Institute existing in Hyderabad, as claimed by it. The certificates, which are issued by the applicant/accused are also bogus. It is further submitted that the police have collected evidence against the applicant/accused to show involvement of the complainant in the present case.

4. Perused the FIR and the statement of the witnesses which are recorded by the Investigating Officer. The statements of many students are recorded. Statement of Secretary of Higher Secondary Education, Hyderabad, is recorded. The statement of the owner of the flat at Kondwa which was taken on leave and licence is also recorded. Prima facie, there is sufficient evidence to show that the applicant/accused was very much involved in this offence of issuing of bogus certificates in the name of various universities. It is a case of forgery. The MoU of the franchise, Pune, which is pointed out by the learned Counsel for the applicant/accused No.1, does not show in any manner who have signed for the franchise and who was working in the City Academy in the said franchises. The resignation letter given by him to his own institute, prima

facie, cannot be believed at this stage. The record shows that pursuant to such certificates issued earlier, jobs were given to some persons. It is a very serious offence so in the present case of forgery, custodial interrogation of the applicant/accused is necessary.

5. Hence, the application is rejected.

(MRS.MRIDULA BHATKAR, J.)