

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No. 376 of 2015

ORDER:

The petitioner, who is accused No.5, filed the present Criminal Petition under Section 438 Cr.P.C. seeking release in the event of his arrest in connection with Crime No.87 of 2014 of Gollapalem Police Station, East Godavari District, registered for the offences punishable under Sections 420, 468 and 471 read with 34 IPC.

The case of the prosecution is as under:

Accused No.1 has a thatched house without a house tax receipt or house number and accused No.2 was residing in a rented house. Accused Nos.1 to 5, who are close associates, hatched a plan, pursuant to which accused Nos.3 and 5 was to trace the parties who move for sureties and accused Nos.1 and 2 would stand as sureties. Further accused No.4 was supposed to create fake house tax receipts and basing on the fake tax receipts, accused No.5 would issue solvency certificates. It is alleged that accused Nos.3 and 5 brought a party for execution of sureties, for which accused No.4 created fake house tax receipts in the name of accused Nos.1 and 2 at Sri Satya Graphics, Pindala Cheruvu, Kakinada without the knowledge of the owner of the internet centre. Later, accused No.5 is alleged to have prepared solvency certificates basing on the fake house tax receipts. Accused No.4 is alleged to have obtained bail basing on the said certificate for wrongful gain. On the basis of these allegations the above case came to be registered.

Heard learned counsel for the petitioner and learned Public Prosecutor appearing for the respondent-State.

A perusal of the material placed on record *prima facie* disclose the involvement of the petitioner in obtaining solvency certificate based

on a fake house tax receipt and also sharing the money along with other accused after standing sureties in bail application. The allegations in the report *prima facie* constitute the offence alleged which in my view are grave and serious in nature, I am not inclined to grant anticipatory bail to the petitioner.

Accordingly, the Criminal Petition is dismissed. However, the petitioner, if so advised shall surrender before the Court concerned and move an application for bail after giving prior notice to the public prosecutor concerned, in which event the same shall be dealt with in accordance with law at the earliest.

C. PRAVEEN KUMAR, J

04.02.2015

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