

HONOURABLE SRI JUSTICE M. SATYANARAYANA MURTHY

CRIMINAL PETITION No.1015 of 2017

ORDER:

This Criminal Petition, under Section 438 of the Criminal Procedure Code, 1973, is filed by the petitioner/A4 to enlarge him on bail in the event of his arrest, as he is apprehending arrest in connection with Crime No.432 of 2016 on the file of Chaderghat Police Station, Hyderabad, registered for the offences punishable under Sections 420, 468, 471 and 472 IPC.

2. The case of the prosecution in brief is that On 7.12.2016 Sri K. Srikanth, Sub Inspector of Police, Task Force, North Zone, Hyderabad made a complaint stating that on 7.12.2016 while he was performing patrolling in the limits of Chaderghat area he received information that one person by name Mir Abid Ali Khan @ Abed is indulging in illegal possession of fake degree certificates of B.Com of CMJ Univerisyt, Meghalaya at Maaz International Education Academy, Ashraf Nagar, New Malakpet for applying Visa processing to USA for higher studies by submitting fake certificates as genuine and cheating the authorities. He informed the same to the superior authority and obtained oral permission and he along with the staff reached near Maaz International Education Academy and apprehended one person Mir Abid Ali Khan @ Abed S/o Late Mir Mubassar Ali Khan, and further they proceeded to Maaz International Education Academy and apprehended another person Abdul Azeem

S/o late Abdul Kareem and seized fake certificate and rubber stamps of various universities and during the inquiry they confessed the guilty that they are running the educational academy and they along with Bimenesh Majumadar R/o Kolkata, Vamsi and Navya of Akshar Overseas Education, Abids supplying the fake and fabricated certificates of various Universities and cheating the public.

3. It is the contention of the learned counsel appearing for petitioner that no material was seized from the petitioner/A4 by the investigating agency, except making bald allegations in the complaint, there is nothing to establish that the petitioner indulged in the offence and thereby he sought pre arrest bail in the above crime.

4. Learned Public Prosecutor for the State of Telangana appearing for respondent submitted that during the course of investigation statement of witnesses under Section 161(3) Cr.P.C were recorded by the Police and according to the material collected by the investigating agency, it is found that the petitioner K. Vamshi Ram supplied fake and fabricated certificates of various Universities on receipt of Rs. 70,000/- from A1 and thereby making the public to believe that they are genuine certificates for obtaining visa, would fall within the ambit of Sections 420, 468, 471 & 472 IPC.

5. In view of the above, this Court is unable to exercise discretion to grant pre-arrest bail to the petitioner/A4, as it is *prima facie* found that the petitioner has cheated the public and obtained huge amount for the fake and fabricated documents. If such persons are allowed by

ordering release of the petitioners on pre-arrest bail, the same would amount to encouraging fraud against the public at large. Therefore, I am not inclined to grant pre-arrest bail to the petitioner. The Criminal Petition is *de void* of merit and is liable to be dismissed.

6. Accordingly, this Criminal Petition is dismissed. As a sequel thereto, miscellaneous petitions, pending if any, shall stand closed.

Date: 13.02. 2017
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JUSTICE M. SATYANARAYANA MURTHY

