

HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.11260 OF 2017

ORDER:

This Criminal Petition, under Section 438 of Cr.P.C., is filed by the petitioner/accused, seeking anticipatory bail in the event of his arrest in connection with F.I.R. No.35 of 2017, on the file of Komuravelli Police Station, Siddipet District, registered for the offences under Sections 417, 420, 468, 471 and 474 of I.P.C.

Heard the learned counsel for the petitioner/accused, learned Additional Public Prosecutor appearing for the respondent-State, and perused the record.

Learned counsel for the petitioner would vehemently submit that the petitioner is innocent person and is falsely implicated in this case; he has not filed the fabricated B.A. provisional degree certificate to avail promotion, and ultimately prayed to allow the Petition.

Learned Additional Public Prosecutor, appearing for the respondent-State, opposed grant of bail to the petitioner.

In the course of rival submissions, it is brought to the notice of this Court that the earlier bail application filed by the petitioner in Criminal Petition No.10553 of 2017 was dismissed as withdrawn by this Court on 07.11.2017 and, thereafter, the petitioner moved another bail application before the Court of VII Additional Sessions Judge, Warangal, in CrI.M.P. No.1483 of 2017 in Crime No.35 of 2017 of Komuravelli Police Station, which was dismissed on 14.11.2017.

As per the material placed on record, the petitioner filed B.A. provisional degree certificate bearing registration No.PAT-65323 with Roll No.08393 for the years 2005-07 obtained from Magadh University to seek promotion. When Sri P.Amarender, Executive Officer of the *de-facto* complainant, was being deputed to personally go to the Registrar of Magadh University, to know the genuineness of the said certificate, the Controller of Examinations, Magadh University, verified and found that the provisional certificate and the memorandum of marks filed by the petitioner are forged documents.

Learned counsel for the petitioner has brought to the notice of this Court about the disputes of the petitioner relating to his service, agitated before this Court *etc.*, which disputes and findings have no relevance to the case on hand. In view of the material placed before this Court, it cannot be said that the petitioner is an innocent person and did not file the subject certificate to seek promotion. The source of fabricating the subject bogus certificates is required to be investigated in detail. There is possibility of the petitioner/accused causing disappearance of the material evidence, if he is released on bail, it is not a fit case to enlarge the petitioner/accused on bail under Section 438 Cr.P.C.

Hence, the Criminal Petition is dismissed.

In consequence, miscellaneous petitions, if any, pending in this Criminal Petition shall also stand dismissed.

Dr. SHAMEEM AKTHER, J

Date: 29.11.2017.
Dsh

HON'BLE Dr. JUSTICE SHAMEEM AKTHER

117



CRIMINAL PETITION No. 11260 OF 2017

Date. 29.11.2017

DSH