

THE HONOURABLE SRI JUSTICE N. BALAYOGI

CRIMINAL PETITION No.1235 of 2011

ORDER:

This Criminal Petition, under Section 482 of Code of Criminal Procedure (for short 'Cr.P.C'), is filed to quash the proceedings in C.C.No.1420 of 2007 on the file of IV Additional Judicial First Class Magistrate at Warangal, dt. 28.11.2017.

The contention of the petitioners is that they applied for the post of Hostel Warden and in this regard, they have taken the help of one Sri Rasaputra Suresh (A.4) with all *bona fide* impression to pursue their cases. It appears that the said A.4 prepared fake recommendation letters of the Hon'ble Minister for Tribal Welfare by name Sri DS. Redya Naik, for consideration of the cases of the petitioners. As a result, the Principal Secretary and Commissioner (BC Welfare) recommended the cases of the petitioners for consideration in the existing vacancies of Hostel Wardens on deputation in Warangal District. Later, the Additional Private Secretary of the then Tribal Welfare Minister made a complaint to the Sub Divisional Police Officer, Warangal, in Cr.No.384 of 2007 for the offences punishable under Sections 420 r/w 468 IPC.

The further contention of the petitioners is that there is no averment or allegation against them to constitute an offence punishable under Sections 420 r/w 468 IPC. Further, in the absence of any express statement or allegation or imputation, the question of filing charge sheet for the offences punishable under Sections 420 r/w 468 IPC does not arise. It is only A.4 prepared

fake documents in the name of the Tribal Welfare Minister i.e., Sri D.S.Redya Naik, and forged his signatures.

Per contra, the learned Public Prosecutor for the State of Andhra Pradesh, contended that the petitioners along with another person approached A.4 for consideration of their cases as Hostel Wardens on deputation in the existing posts in Warangal District. On their approach, A.4 prepared three fake documents on fake letter heads and forged the signatures of the then Tribal Welfare Minister recommending the petitioners' cases as Hostel Wardens. Accordingly, the names of the petitioners were recommended for deputation as Hostel Wardens. Therefore, fake recommendation letters by forging the signatures of Tribal Welfare Minister were prepared for the benefit of the petitioners.

A perusal of the record shows that that the petitioners along with another person approached Rasaputra Suresh/A4 for the posts of Hostel Wardens on deputation and on their approach, A.4 prepared three fake documents on fake letter Heads recommending the cases of the petitioners as Hostel Wardens.

Therefore, in the facts and circumstances of the case, I am of the considered view that the allegations made in the complaint clearly show *prima facie* material against the petitioners to prosecute them for the alleged offences stated above and there is nothing to suggest that there is abuse of process of the Court and any prejudice caused to the petitioners by the complaint. Hence, I do not find any ground to quash the proceedings in C.C.No.1420 of 2007 on the file of IV Additional Judicial First Class Magistrate at Warangal.

Accordingly, this Criminal Petition is dismissed.

Consequently, the miscellaneous petitions, if any, pending, in this case, shall stand closed.

N. BALAYOGI, J

Date: 14.02.2017
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Crl.P. No.1235 of 2011

Dt. 14.02.2018

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