

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.3256 OF 2018

ORDER:

This petition is filed under Section 438 Cr.P.C. to grant anticipatory bail to the petitioner-accused in Cr.No.9 of 2018 of Chevella Police Station, Cyberabad, registered for the offences alleged under Sections 420, 468 and 471 IPC.

2. Heard learned counsel for the petitioner, learned Assistant Public Prosecutor representing the State and perused the record.

3. Learned counsel for the petitioner would submit that a false report was lodged by the Junior Civil Judge as the petitioner had also lodged a complaint against him. All the allegations made in the F.I.R. are absolutely false. The petitioner had appeared for Junior Civil Judge examination. There is possibility of her getting selection as Junior Civil Judge. The petitioner is a diabetic patient and also suffering from health hazards. The petitioner belongs to Scheduled Caste community. She did not file any false caste certificate and ultimately, prayed to allow the petition as prayed for.

4. On the other hand, learned Assistant Public Prosecutor opposed the bail petition stating that the petitioner belongs to forward caste. Her real caste is Padmasali. The learned Assistant Public Prosecutor filed photo copy of Transfer Certificate belongs to the petitioner, which shows that the petitioner belongs to forward caste and contended that the petitioner is not entitled for anticipatory bail and ultimately, prayed to dismiss the petition.

5. As seen from the material placed before this Court, the petitioner belongs to Padmasali community. She does not belong to Scheduled Caste. Photo copy of the Transfer Certificate filed herein reflects that the petitioner belongs to forward caste and the said certificate was issued on 02.03.2018. The details therein are tallying with the description of the petitioner in cause title with regard to her name etc., When the allegations are made that a false certificate relating to Scheduled Caste is obtained, certainly in such event, the person who obtained the false Scheduled Caste certificate is liable for prosecution under Section 3 (1) (q) of the Act. There is also statutory bar for granting anticipatory bail to the petitioner in the instant case. There are also other grave allegations. The petitioner suffering from health hazards and her chances of selection as Junior Civil Judge in future would not entitle her for grant of bail under Section 438 Cr.P.C. In view of allegations and submissions made by both sides, the petition is devoid of merit and is liable to be dismissed.

6. Accordingly, the Criminal Petition is dismissed.

DR.SHAMEEM AKTHER, J

DATED: 20-04-2018

Hsd