

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION No.3812 OF 2018

ORDER:

This criminal petition, under Sections 437 and 439 of the Code Of Criminal Procedure, 1973 (for short 'CrPC'), is filed by the petitioner/A.1 to enlarge him on bail in Crime No.39 of 2018 of I Town Police Station, Kadapa, Kadapa District, registered for the offence punishable under Sections 420, 469 and 471 read with 34 of Indian Penal Code, 1860 (for short 'IPC').

The petitioner is in judicial custody since 12.03.2018.

On 03.03.2018 the Chief Administrative Officer of District Court, Kadapa, lodged a report alleging that on 16.12.2016 the petitioner applied for employment on compassionate grounds consequent on the death of her mother, and she submitted the Certificates of educational qualifications i.e., SSC marks list, Intermediate and Degree and certificates were referred to the Intelligence Department for verification of antecedents and in turn the Intelligence Department addressed a letter dated 20.02.2018 informing that the petitioner did not study in the College mentioned in the Certificates alleged and that the Certificates are not genuine. On the strength of the same, the police registered the above crime and issued FIR.

The main contention of the petitioner is that the petitioner did commit no offence, it is only at the instance of third parties, who were already enlarged on bail, those documents were produced, and therefore, she cannot be detained in prison as pre-trial detenu and prayed to enlarge the petitioner on bail.

The Public Prosecutor for the State of Andhra Pradesh opposed the petition the petitioner played fraud on the Court itself to secure

employment and such person deserves no sympathy and prayed for dismissal as part of investigation is not completed.

It is an undisputed fact that the petitioner had applied for her appointment on compassionate grounds consequent on the death of her mother, who was employee in court, but she submitted fake certificates allegedly, regarding her educational qualifications and the Intelligence Department, on verification of her antecedents, found that she did not study in the Colleges mentioned in the Certificate of Intermediate and Graduation. Therefore, submission of fake certificates to secure employment is serious offence that too in the court itself. Part of investigation is only completed and some more witnesses are to be examined and in case, the petitioner is enlarged on bail there is every possibility of interference with further investigation. Therefore, at this stage, I find no ground to enlarge the petitioner on bail.

In the result, the criminal petition is dismissed. However, the petitioner is at liberty to renew his request at appropriate time.

M.SATYANARAYANA MURTHY, J

04.04.2018
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