

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No.1488 of 2022

ORDER:

This Criminal Petition under Sections 437 and 439 Cr.P.C. is filed by petitioner – Accused No.1 in Cr.No.18 of 2022 on the file of Kalapathar Police Station, Hyderabad District, registered for the offences punishable under Sections 409, 420, 467, 468 read with 109, 120(B) IPC, seeking bail.

2. The case of prosecution is that the de-facto complainant-Police Constable lodged a complaint stating that while he was performing crime detection duties, on credible information, he went to Chaitanyapuri at Saroor Nagar, where Covid Vaccination Centre is located, and found A1 was doing data entry work and further enquiry revealed that A1 and another has been securing the customers to his residence and collecting the pictures of their aadhar numbers and having secured the OTP from their mobile phones uploading the data in the computer available at CVC that these aadhar numbered persons are vaccinated in the CVC and thus, generating fake vaccination certificates from his system without the knowledge of the CVC owners and from each beneficiary of fake vaccination certificate, he collects Rs.1000/- as consideration, thereby cheated the public as well as the Government.

3. Learned counsel for petitioner Mr. Shaik Khalid, submits that the petitioner was arrested and remanded to judicial custody on 27.01.2022 and from the last more than one month, he is languishing in jail. Learned counsel submits that the petitioner is a college student and he is not an employee of Covid Vaccination Centre, which is situated at Saroor Nagar, and the allegation that the accused was generating fake Vaccination Certificate from the system of CVC without knowledge of CVC owner by collecting a sum of Rs.1000/- as consideration is baseless and the petitioner has been implicated in this case falsely. He submits that the petitioner is ready to cooperate with the investigation and he is languishing in jail since more than one month and hence, his case may be considered for grant of bail.

4. On the other hand, learned Assistant Public Prosecutor submits that there are specific overt acts against the petitioner. He submits that the investigation is pending and so far, 5 witnesses were examined and A2 to A4 were already granted regular bail by the Court below and A5 to A12 are absconding and at this stage, petitioner is not entitled for bail.

5. Taking into consideration the fact that the petitioner is languishing in jail from the last more than one month and as he is a student and ready to cooperate with the investigation, this Court deems it appropriate to grant bail to the petitioner on certain conditions.

6. The Criminal Petition is therefore, allowed. Petitioner – Accused No.1 shall be enlarged on bail in connection with Cr.No.18 of 2022 on the file of Kalapathar Police Station, Hyderabad District, on his executing a personal bond for a sum of Rs.20,000/- (Rupees twenty thousand only) with two sureties for a like sum each to the satisfaction of the Special Judicial First Class Magistrate for Excise Cases at Hyderabad.

LALITHA KANNEGANTI, J

3rd March, 2022.

sj

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Date:03-03-2022

sj