

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No.1771 of 2022

ORDER:

This petition is filed under Section 438 of the Code of Criminal Procedure, 1973, seeking bail to the petitioner/A-10 in the event of his arrest in connection with Crime No.34 of 2022 of Central Crime Station, DD, Hyderabad, registered for the offences punishable under Sections 420, 465, 468, 471 read with 34 IPC.

2. The case of prosecution is that on 14.02.2022 at 09.30 hours, on credible information, the Sub-Inspector of Police along with his staff went to the Educational Institution i.e., Sri Sai Educational Consultancy, Malakpet, apprehended A1 and A2 on the ground that they are indulging in supplying of fake and forged educational certificates of different colleges of Telangana, SRK University, Bhopal, Madhya Pradesh etc., to needy students, and in pursuance of their confession, they apprehended the other accused and seized fake educational certificates of 12 persons, 32 rubber stamps of various colleges and Government Offices, HP make computer system, two laptops and 7 cell phones etc..

3. Learned counsel for the petitioner/A10 submits that the petitioner is arrayed as A10 and is alleged to have committed the offences under Sections 420, 465, 468, 471 read with 34 IPC. He submits that as the alleged offences are punishable with imprisonment before 7 years, the

police are directed to follow the procedure as contemplated under Section 41-A Cr.P.C., and the guidelines issued by the Hon'ble Supreme Court in ***Arnesh Kumar v. State of Bihar***¹. He submits that there are no specific overt acts against the petitioner and in fact, the petitioner is suffering with coronary arteries disease, unstable angina, and also undergone coronary angiography followed by angioplasty, apart from that he is suffering from chronic liver diseases, nash, esophageal avarices and portal hypertension. He submits that on these health grounds, the petitioner's case may be considered for grant of pre-arrest bail.

4. On the other hand, learned Assistant Public Prosecutor submits that all the accused are involved in issuing fake certificates and the petitioner is a Chairman of the Universities and all of them have indulged in providing fake and fabricated certificates of various universities. He submits that in view of the allegations in the complaint, the petitioner is not entitled for pre-arrest bail.

5. Taking into consideration the health condition of the petitioner, this Court deems it appropriate to grant pre-arrest bail, however on certain conditions.

¹ (2014) 8 SCC 273

6. The Criminal Petition is allowed. Petitioner – Accused No.10 shall surrender before the Station House Officer, Central Crime Station, DD, Hyderabad, in connection with Crime No.34 of 2022, within one week from today and on such surrender and executing a personal bond for Rs.20,000/- (Rupees twenty thousand only) with two sureties for a like sum each to the satisfaction of the said Station House Officer, he shall be released on bail. The petitioner shall cooperate with the investigation. Petitioner shall appear before the said Station House Officer on 14.03.2022 and thereafter, whenever his presence is necessary for investigation, the police shall give an advance notice of one week to petitioner as he is a resident of Madhya Pradesh. It is made clear that no further extension of time will be granted.

s7th March, 2022.
sj

LALITHA KANNEGANTI, J