

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.9241 OF 2022****ORDER:**

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 seeking bail to the petitioners in the event of their arrest in Crime No.36 of 2022 on the file of Station House Officer, SIT Hyderabad, Detective Department, Hyderabad, registered for the offences punishable under Sections 420, 465, 467, 468, 471, 120(B) read with Section 34 of Indian Penal Code.

2. Heard learned counsel for petitioners and learned Additional Public Prosecutor for respondent-State. Perused the record.

3. The case of the prosecution is that these petitioners along with others are alleged to have fabricated certificates in consideration for money.

4. Learned counsel for the petitioners submits these petitioners who are Associate Professors, Deputy Registrar and Dy.Exam Controller of SRK University are seeking the relief of Anticipatory Bail on the ground that they have nothing to do with the alleged forgery. Further, learned counsel for the petitioners relied upon the judgment

reported in 1980 (4) SCC 552 between *Bhausahab Kalu Patil v. State of Maharashtra* wherein his lordships was pleased to observe that forged certificates may not be valuable security as defined under Section 30 of the Indian Penal Code.

5. Learned Additional Public Prosecutor submits that the address of these petitioners is shown as resident of Madhya Pradesh and it is unlikely that the petitioners would receive notice and subsequent to receipt of such notice under Section 41-A Cr.P.C., shall assist investigation.

6. Learned counsel for the petitioner would submit that there cannot any kind of apprehension that the petitioners would not follow the procedure under Section 41-A of Cr.P.C. and would assist the investigation as and when called for by the investigating officer.

7. In view of the peculiar circumstances in the case, this Court is inclined to direct the petitioners as follows:

i. The petitioners are directed to surrender before the Station House Officer, Central Crime Station, Hyderabad within ten (10) days from today, and on such surrender, they shall be enlarged on bail on their executing personal bonds for a sum of Rs.50,000/-

(Rupees Fifty Thousand Only) each with two sureties for a like sum each (among which one local and one native surety), to its satisfaction.

ii. On such release, the petitioners shall appear before the concerned Station House Officer on every Monday for a period of four (04) weeks between 10.30 AM and 01.00 PM and thereafter as and when required for the purpose of investigation.

iii. The petitioners shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, if any, pending shall stand closed.

K.SURENDER, J

Date: 28.10.2022
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