

ABA 2012/2022

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ORDER

MHCC050067102022



**IN THE COURT OF SESSIONS, AT DINDOSHI  
(BORIVALI DIVISION), GOREGAON, MUMBAI  
ANTICIPATORY BAIL APPLICATION NO. 2012 OF 2022  
(C. R. No. 14/2022)  
(CNR NO.MHCC05-006710-2022)**

**Mr. Sarvanan Ganesh Devendra**

Age – 26 years, Occ : Service,

Residing at : Charawali Chawl, V. M. Road No. 5,

Nehru Nagar, Vile Parle (West),

Mumbai – 400 056.

**...Applicant/Accused**

**V/s.**

**The State of Maharashtra**

(Through Juhu Police Station, Mumbai)

**....Respondent**

Ld. Advocate Mr. Dattatray Papal for the Applicant/Accused.

Ld. APP Mrs. Geeta Godambe for The State.

**CORAM: H.H.THE ADDITIONAL SESSIONS JUDGE  
SHRI. SHRIKANT Y. BHOSALE  
(C.R.NO.9)**

**DATE : 17<sup>TH</sup> JANUARY, 2023**

**ORDER**

This is an application under section 438 of Cr.P.C. for pre-arrest bail.

2. From material on record the case of the prosecution appears to be that on 12.01.2022 at about 8.00 p.m. and on 13.01.2022 at about 3.00 p.m. the quarrel took place between the informant and

other on one side and the applicant and his wife on other side. In the incidence it is alleged that the applicant outraged the modesty of the informant.

3. According to Adv for the applicant Dattatray Papal there are counter cases of same incidence. The rival group i.e. the side of the informant have already secured anticipatory bail vide order dtd 01.02.2022 in ABA 129/2020 and wife of the applicant has secured anticipatory bail in ABA 323/2022.

4. Ld. APP objected the application on the ground that the offence is against the woman and needs to be viewed seriously.

5. Considering the fact that one of the accused in the present case is already granted anticipatory bail on 21.03.2022 and considering the fact that almost one year is over from the incidence, there appears no need of any custodial interrogation and therefore, it is appropriate that by putting similar condition as mentioned in ABA 323 of 2022, anticipatory bail can be granted. Hence, the order.

#### ORDER

1. Anticipatory Bail Application No. 2012 of 2022 is hereby allowed.
2. In the event of arrest, the applicant namely, **Sarvanan Ganesh Devendra** be released on bail on executing P. R. Bond of Rs.25,000/- (Rupees Twenty Five Thousand Only), with one or more surety/sureties of like sum in connection with Crime No.14/2022, registered with Juhu Police Station for the offences punishable under Sections 354, 323, 504, 506 r/w. 34 of the Indian Penal Code, on following conditions :
  - i) He shall attend Juhu Police Station on every Sunday in between 10.00 a.m. to 01.00 p.m. till filing of charge-sheet and shall co-operate

the I.O. for investigation.

ii) He shall not pressurize the complainant and witnesses.

iii) He shall not leave India without prior permission of the Court.

iv) He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the fact of the case so as to dissuade them from disclosing such a fact to the Court or to any police officer.

v) He is directed to furnish his local and native addresses and his contact numbers to Police Station.

vi) Inform to Juhu Police Station accordingly.

3. Anticipatory Bail Application No. 2012 of 2022 stands disposed of accordingly.

**(Dictated and pronounced in presence of Ld. Advocate for Applicant & Ld. APP)**

**Date: 17.01.2023**

**(Shrikant Y. Bhosale)**

The Addl. Sessions Judge  
City Civil & Sessions Court,  
Borivali Division, Dindoshi.

Dictated on	: 17.01.2023
Transcribed on	: 17.01.2023
Checked & corrected on	: 18.01.2023
Signed on	: 18.01.2023
Sent to Dept. on	:

CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED JUDGMENT/ORDER”

Date : 19/01/2023

Time : 12.18 P.M.

UPLOAD DATE AND TIME

Ms. Tejal C. Rane

(Stenographer Grade-I)

NAME OF STENOGRAPHER

Name of the Judge (with Court room no.)

**HHJ S. Y. BHOSALE  
(Court Room No.9)**

Date of Pronouncement of  
JUDGMENT/ORDER

17.01.2023

JUDGMENT/ORDER signed by P.O. on

18.01.2023

JUDGMENT/ORDER uploaded on

19.01.2023