

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL MISC. APPLICATION NO. 42 OF 2015

IN

CRIMINAL APPLICATION (BAIL) NO. 45 OF 2014

SHRI VISHWAS B. DESSAI.

... Applicant

Versus

STATE THROUGH THE OFFICER IN
CHARGE, CID CRIME BRANCH, DONA
PAULA AND ANR.,

... Respondents

Mr. Carlos Alvares Ferreira with Mr. Ashwin C. Costa and Ms.
Richelle Almeida, Advocate for the applicant.

Mr. S. R. Rivankar, Public Prosecutor for the respondents.

Coram:- U. V. BAKRE, J.

Date:- 18th February, 2015

P.C.:

Heard Mr. Ferreira, learned Counsel for the applicant and Mr.
Rivankar, learned Public Prosecutor for the respondents.

2. By this application, the applicant who has been granted bail in
Crime no. 1 of 2014 registered with Canacona Police Station has
prayed for deletion of condition no.5 imposed in the said bail order
dated 20/03/2014.

3. The said condition no.5 is as under:

"5) He shall not leave State of Goa till the filing of the charge
sheet and India without previous permission of learned Special Court
having jurisdiction."

4. The order for bail was passed on 20/03/2014 and almost one year
has now passed. The said condition no.5 was imposed on the

applicant so that the investigation can go on smoothly. It can be certainly said that in so far as the applicant is concerned, the investigation has almost been completed. Mr. Rivankar, learned Public Prosecutor submitted that the charge sheet is not yet filed and therefore the applicant should not leave India. Mr. Ferreira, does not have any objection if the said condition no.5 is modified accordingly.

5. In the result, the application is partly allowed. The condition no.5 of the bail order dated 20/03/2014 stands modified as under:

"5) He shall not leave India without previous permission of the learned Special Court having jurisdiction until at least the framing of the charge in the matter in case charge sheet is filed."

6. In case if the applicant wants to leave India after the framing of charge in the matter, he may do so in accordance with law.

7. Application stands disposed of accordingly.

U. V. BAKRE, J.

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