

IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL MISC. APPLICATION NO. 132 OF 2015
IN
CRIMINAL MISC. APPLICATION NO. 112 OF 2015

SMT. VINANTI GAUDE.	... Applicant
Versus	
STATE, THROUGH P.I. PONDA POLICE STATION AND ANR.	... Respondents

Mr. Pavithran A.V., Advocate for the Applicant.

Coram:- G. S. KULKARNI, J.

Date:- 20th May, 2015

P.C.:

By an order dated 6/05/2015, the above appeal was admitted. By an order passed in Criminal Miscellaneous Application No.112/2015, the applicant was released on bail on furnishing a personal bond of Rs.15,000/- with one surety in the like amount as also the substantive sentence was suspended subject to the applicant depositing the fine amount of Rs.1,10,000/- in this Court within a period of two weeks.

2. By this application, the applicant seeks modification of this order in regard to the direction pertaining to the deposit of the entire fine amount.

3. Learned Counsel for the applicant contends that the applicant is a senior citizen and a housewife living with her husband, who is a daily wage labourer. The applicant has a son who is physically handicapped and that the applicant and her family has no source of income except the wages earned by her husband. In the application it is averred that the applicant tried all possible ways to get the said amount of Rs.1,10,000/- deposited in this Court. However, because of poor financial condition the applicant could make an arrangement of only Rs.50,000/- by borrowing from private persons and taking hand loans from relatives.

4. Taking into consideration the above facts, it would be in the interest of justice that the order dated 6/05/2015 by which the substantive sentence is suspended subject to deposit of the entire fine amount in this Court within a period of 2 weeks, is modified by the following orders:

O R D E R

(i) The substantive sentence of the applicant is suspended subject to the applicant depositing Rs.50,000/- in this Court being part of the fine amount, within a period of 4 weeks from today.

(ii) The other conditions as imposed in the order dated 6/05/2015 shall remain in operation.

5. Application stands disposed of in the above terms. No order as to costs.

G. S. KULKARNI, J.

NH/-