

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL APPLICATION NO. 48 OF 2015

C. Venkatramana .. Applicant

Versus

State of Maharashtra .. Respondent

Mr. Subhash Jha a/w Rushita Jain i/b Law Global, Advocate
for the applicant

Mr. V.B. Konde-Deshmukh, APP for the respondent-State

CORAM:-M.L. TAHALIYANI,J.

DATED : -19/01/2015

P.C.

Heard the learned counsel for the applicant and
learned APP for the State.

2 The applicant is apprehending arrest in Crime No.
452/2014 registered at Santacruz Police Station, Mumbai, for
the offences punishable under Sections 409, 467, 468, 471 r/w
34 of IPC. His application for grant of bail u/s 438 of the
Code of Criminal Procedure is pending before the Assistant

Sessions Judge, Mumbai. The learned Assistant Sessions Judge has refused to grant ad-interim relief.

3 Thought the application has been adjourned for hearing, there is no interim order in favour of the applicant. In my view, once the application is adjourned for hearing, it was just and proper that interim order should have been granted by the learned Assistant Sessions Judge. Instead of asking the applicant to run away from the police here and there, it is always desirable that he is under the protection of interim order and he is available to the Court and the police. It may be noted here that the learned Assistant Sessions Judge could have imposed certain conditions while granting interim order which could have facilitated the interrogation of the accused/applicant by the investigating officer. The order of the Assistant Sessions Judge in fact has frustrated the further investigation. I am inclined to set aside the order of refusal of interim protection. Hence, I pass the following order:

The applicant be released on bail in the sum of Rs.25,000/- with one solvent surety in the like amount or cash deposit of Rs.25,000/- in lieu of surety, in the event of his arrest in Crime No. 452/2014, by Santacruz Police Station for the offences punishable under sections 409, 467, 468, 471 r/w 34 of IPC. He shall attend the office of investigating officer in between 2 to 4 p.m., daily for a period of three days and thereafter as may be directed by the Assistant Sessions Judge, during the pendency of application. The order of attendance shall be effective from tomorrow.

This application stands disposed.

(JUDGE)

md.saleem