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IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.282 OF 2015

S Kathirvel@ Khajura ... Applicant

V/s.

The State of Maharashtra ... Respondent

Mr.Sushan Kunjuraman, for the Applicant.

Ms.Aruna S. Pai, APP for the Respondent – State.

API – Manohar D. Dalvi, DCB CID, Unit – 12, Dahisar, Mumbai.

**CORAM : REVATI MOHITE DERE, J.**

**DATED : 11<sup>th</sup> MARCH, 2015.**

**PC.**

1. Heard learned counsel for the applicant and learned APP for the Respondent – State.

2. By this application, the applicant seeks pre-arrest bail in connection with C.R. no.96 of 2014 registered with the DCB, CID, Unit 1, Mumbai, for the alleged offences punishable under Sections 387, 34 of the Indian

Penal Code and under the Arms Act.

3. According to the complainant – Kutubuddin Shaikh in 2012, as he was attacked by an unknown person with a blade, he had kept his friend Salim as his driver. During this time, the complainant met one Nitesh @ Chinnaya Lavangare at Suraj Salian's birthday party. Suraj was the complainant's friend. It is alleged that Nitesh offered to give the complainant a bodyguard, and accordingly Nitesh's friend Ravi Bansode started providing bodyguards to the complainant. During his association with Ravi, the complainant allegedly came into contact with Manoj Naidu, who was an associate of the gangster – Harish Mandvikar. It is alleged that after a few days, Manoj Naidu disclosed to the complainant, that if he intended to stay there, he would have to pay protection money to Harish Mandvikar and that Harish had asked him to bump him off. According to the complainant, Manoj introduced him to the applicant and told him that for lesser money, the applicant will do his work. He is also alleged to have disclosed that there were several murder cases against the applicant. The complainant refused to pay any protection money and left. Thereafter, two associates of the applicant, Rameshwar and Lallu are stated to have called the complainant, asking him to come and meet Bhai, but the complainant

refused to do so. Demands, threats to pay continued. The complainant was even threatened by pistol.

4. Perused the complaint filed by Kutubuddin Shaikh. The name of the applicant has been disclosed in the said complaint and there are specific allegations against him. There is prima-facie material as against the applicant, for which custodial interrogation is necessary. Apart from the same, it also appears that the applicant has antecedents inasmuch as, there was a case registered against him under Sections 302, 307, though learned counsel for the applicant states that the applicant has been acquitted of the said offences.

5. Considering the fact that the applicant has been named in the FIR and had sought extortion money from the complainant, this is not a fit case for granting anticipatory bail to the applicant.

6. Hence, the Application seeking anticipatory bail is rejected and disposed of as such.

7. Needless to observe, that if an application for regular bail is filed,

the same shall be decided on its own merits, in accordance with law, uninfluenced by the observations made in this order.

8. Parties to act upon an authenticated copy of this order.

**(REVATI MOHITE DERE, J.)**