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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 470 OF 2015
IN
CRIMINAL APPEAL NO. 512 OF 2011

Murugan Abhimanyu Harizan

.. Applicant

Vs.

The State of Maharashtra

.. Respondent

Mrs. Farhana Shah, Appointed Advocate, for applicant.

Mr. H. J. Dedhia, APP for State.

CORAM: B. P. DHARMADHIKARI &
A. S. GADKARI, JJ.

JULY 28, 2015.

P.C.

1. Prayer is to release applicant on bail for a period of at least six months as he has T.B. with other complications and his weight is falling day by day. It is pointed out that he was earlier weighing 70 kgs. and now he weighs only 59 kgs.

2. During hearing, we find that applicant is not financially sound so as to afford the treatment, which he is receiving today. Even his relatives i.e. brother and sister are not in that position.

3. In this situation when learned APP, upon instructions, has pointed out that from Kolhapur Central Prison he has been shifted to J. J. Hospital, Mumbai, where he is being attended to, getting proper treatment

and diet, we are not inclined to order his release on bail.

4. Other request made by learned counsel for the applicant is to permit his relatives to meet him. Learned APP is opposing even this request. He submits that fact that applicant is prisoner cannot be ignored.

5. It appears that the applicant, at least for the present, is in serious condition. In this situation, at least in a week his brother or sister, as per their wish or wish of prisoner should be allowed to contact him in accordance with Rules. It is made clear that his relatives are free to contact the Medical Officers in J. J. Hospital to find out treatment being extended to the applicant.

6. The prisoner or his brother / sister can apply in advance pointing out that relative would be meeting him and the concerned police authority shall thereafter as per Rules permit such brother or sister to meet him once in a week.

7. This arrangement shall continue until further orders of the court in the matter.

8. Application is partly allowed and disposed off.

(A. S. GADKARI,J.)

(B. P. DHARMADHIKARI,J.)