

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 1349 OF 2015**

Deepali Milton Fernandis	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr. Sharif Shaikh I/b Mr. Mateen Shaikh for the Applicant

Ms. S. S. Kaushik, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.
TUESDAY, 1st SEPTEMBER, 2015

P.C. :

1. Heard learned Counsel for the applicant and the learned A.P.P for the State.

2. By this application, the applicant seeks his enlargement on bail in connection with C.R. No. 172 of 2015 registered with the Bhoiwada Police Station, for the alleged offences punishable under Sections 370(3) r/w 34 of the Indian Penal Code, 1870.

3. It is alleged by the prosecution that business of prostitution was going on at Bright Family Beauty Salon. Pursuant to the said information, a

bogus customer was sent. The present applicant who is the Manager of the said Salon came to be arrested.

4. Learned Counsel for the applicant states that both the victim girls were major and that charge-sheet has been filed in the said case. He submitted that merely because the owner of the said Salon is absconding, is not a ground for rejecting the applicant's application for bail.

5. Heard learned A.P.P. She states that the applicant has no antecedents. Perused the charge-sheet, in particular, the statements of the victim girls. Both the victim girls are adults. Both have stated that they have indulged in prostitution activities due to poverty.

6. Considering the fact that the investigation is complete and charge-sheet is filed, applicant is enlarged on bail on the following terms and conditions :

ORDER

(i) The applicant be released on bail, on executing PR Bond in the sum of Rs. 15,000/- with one or two sureties in the like amount;

- (ii) The applicant shall not tamper or attempt to contact the complainant or any witness concerned with the case;
- (iii) The applicant shall inform her latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;
- (iv) The applicant shall attend the concerned Court on every date of hearing and shall cooperate with the conduct of the trial;

6. The aforesaid observations are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

7. The Application is allowed in the aforesaid terms and is accordingly disposed of.

8. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.