

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL WRIT PETITION NO. 3949 OF 2014

Raju Anandrao Vanamu .. Petitioner

Versus

The State of Maharashtra & Anr. .. Respondents

Mr. R. V. Gupta, Advocate for the petitioner
Mr. Ajay Patil, APP for the respondent-State.

CORAM:-M.L. TAHALIYANI,J.

DATED : -06/01/2015

P.C.

Admit. Respondents waive service. By consent of the parties, the matter is heard finally.

2 Heard learned advocate for the petitioner and learned APP for the respondents-State.

3 The order in question has been passed u/s. 151(3) of Cr. P. C. The learned advocate Mr. Gupta has rightly submitted that the person detained under section 151(1) of Cr. P.C. can be detained or released by the Magistrate under section 151(3) of Cr. P.C. The Magistrate has no power to impose certain conditions

on the person so detained while releasing him and/or refusing to detain him as per the provisions of Section 151(3) of Cr. P.C. Therefore, the order is set aside.

4 The writ petition is accordingly disposed off.

(JUDGE)

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