

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

**CRIMINAL APPLICATION NO. 544 OF 2013**

The State of Maharashtra ... Applicant  
vs.  
Sunil Sadashiv Sable & Anr. ... Respondents

Mr. S.S.Pednekar, APP, for the State.

Mr. S.R.Chitnis, Senior Advocate, i/b. A.S.Sawant for respondent No.2.

**CORAM: SMT.SADHANA S.JADHAV,J.**

**DATE : 17th February, 2015.**

**P.C.**

Heard. This is an application under Section 439(2) of Cr.P.C.

2. The State has challenged the order dated 27.8.2013 passed by the Sessions Judge, Raigad at Alibag in Criminal Application Nos. 614 of 2013 and 618 of 2013 thereby granting bail in favour of the respondents on executing personal bond of Rs.50,000/- each with one solvent surety in the like amount.

3. The learned APP in support of the Applicant-State submits that the learned Sessions Judge had directed the applicants not to tamper with the prosecution evidence and not to enter within the vicinity of Village Karanjade till

further orders. According to the learned AP, there has been a breach fo the order passed by the learned Sessions Judge and the present respondents had entered into Village Karanjade. In support of this, the State has filed on record the proforma of non-cognizable case registered against respondents on 12.8.2013.

4. It is pertinent to note that the condition of not entering the vicinity of Village Karanjade was imposed upon the respondents on 27.8.2013. In view of this, it cannot be said that the respondents have committed breach of the conditions and therefore, the application seeking cancellation of bail for committing breach of conditions deserves to be dismissed in limine. The order passed by the learned Sessions Judge, Alibag dated 27.8.2013 is hereby confirmed.

Application stands dismissed.

**(SMT.SADHANA S.JADHAV, J.)**