

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 144 OF 2016

Jayesh Shyam Seernani & Ors. ... Applicants
Vs.
The State of Maharashtra ... Respondent

Mr. S.R. Phanse h/f. Tapan Thatte, Advocate for the applicants.
Mr. S.H. Yadav, APP for the State.

CORAM: **MRS.MRIDULA BHATKAR, J.**
DATE: **12th April, 2016.**

P.C.:

This Application is moved for relaxation of the condition imposed by the learned Additional Sessions Judge, Greater Bombay while granting anticipatory bail to the applicant/accused by an order dated 11th December, 2014.

2. The learned counsel for the applicant submitted that he has moved an application for relaxation of the condition before the learned Sessions Judge, however, the learned Sessions Judge by its order dated 27th January, 2016 rejected prayer clause (a) of seeking relaxation of the condition. The learned counsel submitted that the applicants/accused have deposited Rs.11 lakhs which is 50% of the amount for which the applicants/accused are facing prosecution. The learned counsel submitted that by the order dated 11th December, 2014 the condition which was imposed at the time of interim bail that the applicant/accused shall not leave India without the prior permission of the Court is to be relaxed. The learned counsel that

applicant nos. 1 to 3 are the partners of the firm which is in the business of import and export. The learned counsel submitted that it is necessary for the applicants/accused to leave India and go abroad for their business frequently and urgency and therefore, it is not possible for the applicants/accused to approach this Court every time and seek the permission to leave India. Hence, the said condition is to be relaxed.

3. Learned APP is present.

4. Perused the interim and final orders passed by the learned Sessions Judge. Considered the submissions of the learned counsel for the applicants/accused. Considering the nature of the business of the partnership firm of the applicants/accused, the condition is relaxed qua one of the partners and as it is prayed by the learned counsel for the applicant, the condition is relaxed qua applicant no. 1-Jayesh Shyam Seernani. Applicant nos. 2 and 3 will have to take the permission of the Court while leaving India.

5. The Application stands disposed of.

(MRIDULA BHATKAR, J.)