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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 849 OF 2016**

Amol Shankar Jadhav

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr.D.D.Rananaware, for the Applicant

Ms.Veera Shinde, A.P.P for the Respondent-State

***CORAM : REVATI MOHITE DERE, J.
DATE : 28th APRIL, 2016***

P.C. :

1. Heard learned Counsel for the applicant and the learned A.P.P.
2. By this application, the applicant seeks his enlargement on bail in connection with C.R. No.70 of 2016, registered with the Vaduj Police Station, Satara, for the alleged offences punishable under Sections 354A, 354D of the Indian Penal Code and Section 11(4) of Protection of Children from Sexual Offences Act.
3. The complainant is the mother of the victim girl. The applicant

was teaching in a school in which the victim girl, aged 14 years was a student. It is alleged by the complainant that the present applicant had outraged the modesty of her daughter by touching her cheeks, her head, and that he had even stamped on her foot. It is further alleged that the applicant had even threatened her that if she failed to call him, he would eliminate her parents. In view of the threats given, it is alleged that the girl, attempted suicide, pursuant to which she was taken to the hospital for treatment. Thereafter, the applicant is stated to have been brought before the Tanta Mukti Samiti, where he accepted his mistake and it was decided that whatever expenditure was incurred for the girl's medical treatment would be borne by the applicant.

4. Learned Counsel for the applicant submitted that the alleged incident is stated to have taken place on 8th February, 2016, however, the FIR was lodged only on 18th March, 2016. He submitted that the investigation is complete and charge-sheet is filed. He further submitted that the applicant has resigned from the said school in November, 2015 and is not teaching in the school, where the victim girl is studying.

5. Learned APP has taken me through the statement of the victim girl, aged 14 years.

6. Perused the statement. The girl has stated that the applicant had tried to be friendly with her and that he would come to her class, touched her cheeks, moved his hand over her head and had stamped her foot, against her wishes. She had stated that she had disclosed the said fact to her parents, pursuant to which the parents went and met the applicant and asked him not to repeat the said acts. Thereafter, on 8th February, 2016, the girl has stated that the applicant again repeated the said acts and when she was going home, the applicant asked her to call him up on his mobile or else he threatened her that he will eliminate her parents. She had stated that being fed up of the same, she tried to commit suicide, pursuant to which she was taken to the hospital on 14th February, 2016. When the parents questioned the applicant, the applicant is alleged to have admitted to his mistake and agreed not to behave in such a manner, in future. Thereafter the parties went before Tanta Mukti Samiti where the applicant is alleged to have confessed to his mistake. Investigation is complete and charge-sheet is filed.

7. Considering the fact that investigation is complete and charge-sheet is filed and the fact that the applicant is no longer teaching in the school, where the victim girl is studying, the applicant is enlarged on bail on the following terms and conditions :

ORDER

- (i) The Applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.15,000/- with one or two sureties in the like amount;
- (ii) The applicant shall attend the concerned Police Station on the first Saturday of every month between 10:00 a.m. to 11:00 a.m., initially for a period of 12 months and thereafter, on the first Saturday of every alternate month, between between 10:00 a.m. to 11:00 a.m., till the conclusion of the trial;
- (iii) The applicant shall not tamper or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

(iv) The applicant shall inform his 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;

(v) The applicant to cooperate with the conduct of the trial.

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

9. It is made clear that the observations made herein 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.

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

REVATI MOHITE DERE, J.