

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL APPLICATION NO. 358 OF 2016

Santosh Madhukar Vikhare and othersApplicants

V/s.

The State of MaharashtraRespondent

Mr. P. G. Sarda Advocate for Applicant.

Ms. Veera Shinde APP for the State.

CORAM : SMT. SADHANA S. JADHAV, J.

DATED : AUGUST 18, 2016.

PC :

1) Heard the learned counsel for the Applicants. This is an application seeking modification of the conditions imposed upon the Applicants by the Sessions Court while granting bail vide order dated 27/08/2013.

2) Accused/applicants are charge-sheeted in crime no. 167 of 2013 which is now registered as Sessions Case No. 103 of 2014. The learned Sessions Judge had observed that the Applicants are directed not to tamper with the prosecution evidence and not to enter within the vicinity of village Karanjade, Tal. Panvel until further orders.

3) The learned counsel for the Applicants submits that the Applicants have been abiding by this order for the past 3 years and therefore, the conditions

ism

need to be modified.

4) As against this, the learned APP submits that the wife and mother of the deceased are eye witnesses to the incident and they are the residents of village Karanjade and it would not be proper to relax the conditions during the pendency of the trial. The learned APP has submitted that the Applicants herein have criminal antecedents. There are 8 offences registered against Applicant Santosh whereas against Applicants Ashok & Rajan, 4 offences have been registered.

5) It appears that they have criminal antecedents and hence, this Court, on the ground that there would be a threat perception to the eye witnesses, is not inclined to modify the conditions.

6) Application, being sans merits, stands rejected.

(SMT. SADHANA S. JADHAV, J.)