

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

**CRIMINAL WRIT PETITION NO.2585 OF 2013
WITH
CRIMINAL APPLICATION NO.109 OF 2016
IN
CRIMINAL WRIT PETITION NO.2585 OF 2013
WITH
CRIMINAL APPLICATION NO.110 OF 2016
IN
CRIMINAL WRIT PETITION NO.2585 OF 2013
WITH
CRIMINAL APPLICATION NO.111 OF 2016
IN
CRIMINAL WRIT PETITION NO.2585 OF 2013
WITH
CRIMINAL APPLICATION NO.115 OF 2016
IN
CRIMINAL WRIT PETITION NO.2585 OF 2013**

Arun Shankar Ramlingam Naidu

...Petitioner/Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Yashpal Thakur, Advocate appointed for the Applicant.
Smt. V.R. Bhonsale, APP for the Respondent -State.

**CORAM: SMT. V.K. TAHILRAMANI &
SMT. ANUJA PRABHUDESSAI, JJ**

DATED: 15th March, 2016

P.C.:-

Heard both the sides.

2. The Petitioner/Applicant was granted furlough but he

was to be released on furlough on the condition that he furnishes personal bond of Rs.10,000/- and two sureties of Rs.10,000/- each, one surety shall be a relative of the Petitioner/Applicant and other surety shall not be a relative of the Petitioner/Applicant.

2. The prayer of the Applicant in Criminal Application No.110 of 2016 is that he be released on furlough on furnishing one surety only. The prayer of the Applicant in Criminal Application Nos.111 of 2016 and 115 of 2016 is that the Applicant be released on furlough on furnishing one surety only in the sum of Rs.5,000/-.

3. It is seen that when the Applicant was released on furlough on 24.10.2011, he reported back to the prison in time. So also on 7.8.2012 when the Petitioner was released on furlough, he reported back to the prison in time. Looking to this fact and the fact that the conduct of the Petitioner in jail has been good, we are inclined to grant all the prayers of the Petitioner in Criminal Application Nos.110 of 2016, 111 of 2016 and 115 of 2016 that he be released on furlough on furnishing one surety in the sum of Rs.5,000/-.

4. The prayer of the Applicant in Criminal Application No.109 of 2015 is that instead of executing surety bond papers in the jail, the Applicant be allowed to execute the surety bond

papers in the police station. We are not inclined to grant the said prayer. The Applicant shall furnish the surety bond as per the usual terms and conditions when a person is released on furlough.

5. In view of the above, the writ petition No.2585 of 2013 alongwith Criminal Application Nos.110 of 2016, 111 of 2016 and 115 of 2016 are allowed. The Criminal Application No.109 of 2016 is rejected.

6. Office to communicate this order to the Petitioner/Applicant, who is in Nashik Road Central Prison. Fees be paid to the appointed Advocate as per Rules.

(SMT. ANUJA PRABHUDESSAI,J.) (SMT. V.K. TAHILRAMANI,J.)