

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1927 OF 2015

Smt.Sandhya Puthran ... Applicant

Vs.

The State of Maharashtra ... Respondent

Mr.Sanjay Singhvi, Sr.Advocate i/b M.A. Amonkar for the Applicant
Ms.S.S. Kaushik, APP, for Respondent – State
Mr.Salim Jamadar, P.I., Dindoshi Police Station – present

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **MARCH 31, 2016**

P.C.:

1. The applicant-accused is prosecuted for the offences punishable under sections 408, 420 r/w 34 of the Indian Penal Code in C.R. No.421 of 2015 registered with Dindoshi police station, Mumbai, at the instance of one Mrs.Seema Gholap, who is the Principal of St.Xavier School. It is the case of the prosecution that the applicant-accused alongwith co-accused Ms.Rupa Jha were appointed in the school to accept education fees of the students, studying in 1st to 10th standards. These two ladies used to collect fees since last three years and deposit the entire fees in the account of the school in the HDFC Bank. It was noticed that an amount of Rs.6,90,095/- was not deposited. So, notices were sent to the applicant-accused and Ms.Rupa Jha, the co-accused. Rupa Jha deposited Rs.1,46,147/- and the present applicant-accused, however, did not accept the notice and hence,

she gave a complaint against the applicant-accused that she has committed fraud and cheated the school by not depositing the amount of Rs.4,40,450/-.

2. The learned Counsel for the applicant has submitted that the applicant-accused has submitted a written explanation about how the entire amount of Rs.6,90,095/- was spent. As per the explanation, it appears that the money was spent time to time on different occasions for the purpose of services given to the school.

3. Learned Prosecutor, on instructions of the police officer, who is present before the Court, submitted that the attendance of the applicant-accused is necessary in order to find out the amount misappropriated. In view of this, custody of the applicant-accused is not required.

4. In view of the above, pre-arrest bail is granted to the applicant-accused on the following terms:

- i) In the event of arrest, the applicant-accused shall be released on bail upon furnishing P.R. Bond in the sum of Rs.25,000/- with one or two solvent sureties in the like amount;
- ii) The applicant-accused shall cooperate with the Investigating Officer and attend the concerned police station on two Mondays i.e., 4th April, 2016 and 11th April, 2016 from 11am to 1pm;

- iii) The applicant-accused shall not tamper with the evidence or pressurise the complainant;
- iv) The applicant-accused shall not indulge into any criminal activity;
- v) The applicant-accused shall not abscond or leave India without prior permission of the Court and furnish permanent address to the Investigating Officer alongwith documentary proof of his address;
- vi) In the event of breach of any of the above conditions, the prosecution will be at liberty to move the Court for cancellation of bail.

5. Anticipatory Bail Application is disposed of accordingly.

(MRIDULA BHATKAR, J.)