

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL MISC. APPLICATION (BAIL) NO. 282 OF 2017

Chetan Fal Dessai

..... Applicant

V e r s u s

1. STATE
Through Police Inspector
Cancona Police Station,
Canacona, Goa.)

2. Public Prosecutor,
High Court of Bombay,
Panaji, Goa.
All registered addresses.

..... Respondents

Shri Pavithran AV, Advocate for the Applicant.

Shri S. R. Rivankar, Public Prosecutor for the Respondents.

Coram :- NUTAN D. SARDESSAI, J

Date : 10th November, 2017

ORAL ORDER

Heard Shri Pavithran AV, learned Counsel for the Applicant and Shri S. R. Rivankar, learned Public Prosecutor on behalf of the State, who has filed a reply opposing the application for bail.

2. Shri Pavithran, learned Counsel for the Applicant submitted that the Applicant is entitled to be set at liberty on bail in anticipation of his arrest since nothing fruitful would be achieved by his custodial

interrogation. He is otherwise ready and willing to co-operate with the course of investigation and, therefore, he be secured with an appropriate order in that regard.

3. Shri Rivankar, learned Public Prosecutor on behalf of the State submits that the investigation in the case is substantially over and what remains is the recovery of the gold chain which was purportedly snatched in the course of the alleged incident. He therefore presses for the dismissal of the application. Shri Rivankar, learned Public Prosecutor however in fairness submitted that the medical records do not indicate that there were any abrasions or marks of scuffle on the neck of the Complainant to indicate that the gold chain had possibly been snatched by the Applicant.

4. Considering the totality of the circumstances of the case, that the investigation is substantially over and that as per the contention of Shri Pavithran learned Advocate for the Applicant that two other persons alleged to have committed the same offence have been granted bail in anticipation of their arrest by the learned Sessions Judge, i deem it appropriate to secure the Applicant with the relief of anticipatory bail on the following terms and conditions :

(i) In the event of arrest, the Applicant shall

be enlarged on bail upon execution of a bail bond in the sum of ₹10,000/- and furnishing one local surety in co-extensive amount to the satisfaction of the learned Investigation Officer.

(ii) The Applicant shall report at the Police Station for a period of five days w.e.f. 11.11.2017 between 10.00 hours till 12.00 noon and co-operate with the course of investigation.

(iii) The Applicant shall not intimidate the witnesses or otherwise tamper with the course of investigation.

(iv) In these terms, the Application stands disposed off.

NUTAN D. SARDESSAI, J.

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