

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 20 OF 2017

Udaya Narayan Shetty.	... Applicant.
Versus	
State of Maharashtra.	... Respondent.

Mr. Arun Rajput i/b. Ms. Archana Mane, advocate for Applicant.

Mr. Arfab Sait, APP for State.

Mr. N.B. Gaikwad, API, Kashimeera Police Station.

**CORAM : SMT. SADHANA S. JADHAV, J
DATE : MARCH 8, 2017**

P.C.:

1 Heard the learned Counsel for the applicant and the learned APP for State.

2 This is subsequent application seeking pre-arrest bail under section 438 of the Code of Criminal Procedure, 1973. The applicant herein had filed ABA No. 1686 of 2016 which was withdrawn on 20/12/2016 before the Hon'ble Shri Justice N.W. Sambre. The order

clearly indicated that the applicant had undertaken to surrender before the Magistrate on or before 6/1/2017 and ad-interim protection was granted to the applicant till 6/1/2017. Without surrendering before the Magistrate on or before 6/1/2017 and without approaching the Sessions Court, subsequently, present application has been filed seeking the same relief. This would be an abuse of process of law. The applicant has violated the undertaking given to this Court on 20/12/2016 and hence the applicant does not deserve any relief. Hence, the application stands rejected and disposed of accordingly.

(SMT. SADHANA S. JADHAV, J)