

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE

ANTICIPATORY BAIL APPLICATION NO. 621 OF 2017

Papathi Perumal Vs. The State of Maharashtra & Anr.

**Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders.**

Court's or Judge's orders

Mr. Chaitanya A. Malgaonkar i/b GMS Legal for applicant.
Mrs. J.S. Lohokare, APP for State.

CORAM : A.S. GADKARI, J.

DATE : 11th April 2017.

P.C.:

- 1] The applicant is apprehending arrest in CR No.80 of 2016 registered with Bangur Nagar Police Station, Mumbai under Section 363 read with 34 of the Indian Penal Code.
- 2] The victim girl was aged about 15 years at the time of incident. That the son of the applicant namely Surya Pirmal Harijan befriended her and lured and eloped with her. The father of the victim girl namely Yalumalai Pawade Kavander has lodged the first information report. During the course of investigation, the police have arrested the son of the applicant namely Surya. He is now released on bail. After completion of investigation the police have submitted chargesheet.
- 3] The learned APP submitted that the Investigating Officer is not present to give instructions.
- 4] After perusal of the chargesheet, it reveals that no role of any nature is

attributed to the applicant in the present crime. The applicant being the mother of Surya Pirmal Harijan, has been implicated in the present crime as she is having common intention with her son in abducting minor girl. In the supplementary statement of the victim girl dated 2.7.2016 which is annexed to the page No.141 of the present application, the victim girl has stated that she has no grievance against the accused persons of whatsoever nature and under the mistaken belief that the parents of Surya will not allow the marriage of Surya with victim girl, the said crime is registered.

5] In view thereof, the applicant has made out a case for grant of pre-arrest bail.

Hence, the following order:

- (i) In the event of arrest in CR No. 80 of 2016 registered with Bangur Nagar Police Station, Mumbai, the applicant shall be released on bail on her furnishing PR bond of Rs.10,000/- with one or two local sureties in the like amount.
- (ii) The applicant shall not tamper with evidence and/or influence the prosecution witnesses.
- (iii) The application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)