

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 893 of 2017

Sumathi Sarvanan Devendra & anr.

...Applicants

Versus

The State of Maharashtra

...Respondent

Mr. Durgesh Jaiswal i/b. Mr. L.V. Bommer for the applicants.

Mr. A. R. Kapadnis, APP for the respondent-State.

CORAM : PRAKASH D. NAIK, J.

DATE : 12 JUNE 2017

P.C. :

1. This is an application for anticipatory bail in connection with C. R. No. 114 of 2017 registered with Wadala Truck Terminal Police Station for the offences punishable under Sections 387, 323, 324, 506(2), 504, 143 to 149 read with 34 of IPC.

2. It is the prosecution case that the applicants / accused alongwith co-accused, are indulging in extortion activities within the jurisdiction of Wadala Truck Terminal Police station. The complainant and his wife were assaulted by the accused. On 6 March, 2017, the complainant and his wife were assaulted by the son of applicant no.2.

The applicants had assaulted them by fists blow and stone.

3. Learned advocate for the applicant submits that they have been falsely implicated in the case. He further submitted that the complainant is on enemical terms with the applicants. He submitted that the complaint was earlier lodged against the first informant at the instance of the applicants on account of the fact that he was not vacating the premises belonging to mother-in-law of applicant no.1.

4. Learned APP vehemently opposed the application for anticipatory bail. He submitted that the applicants are continuously indulging in the activities of extortion. He further submitted that son of the applicant no.2 was granted bail and in pursuance to that he has committed offence under section 326 of IPC. He further submitted that there are several cases registered against the son of applicant no.2. He further submitted that no relief should be granted in favour of the applicants. He submitted that police have recorded statements of persons who had stated that the applicants are indulging in activities of extortion.

5. Learned advocate for the applicants further submitted that there

no previous complaints were registered against the applicants. He submitted that the applicants are ladies and they are willing to stay out of the jurisdiction of Wadala and Antop Hill Police Station.

6. Considering the fact that the applicants are ladies, no previous offences are registered against them and the role assigned to them in the present crime, I am inclined to grant this application on certain conditions.

7. Hence I pass the following order;

:: ORDER ::

- (i) Anticipatory bail application no.893 of 2017 is allowed.
- (ii) In the event of the arrest of the applicants in connection with C.R. No.114 of 2014 registered with Wadala Truck Terminal Police Station, the applicants may be released on bail on executing P.R. Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand only.) each with one or more sureties in the like amount
- (iii) The applicants shall stay out of jurisdiction of Wadala Truck Terminal Police Station and Antop Hill Police Station till further orders.

- (iv) The applicant should provide details of their addresses where the applicants will be residing to the investigating officer and they shall report the nearest police station to their residence on every Saturday between 10 to 12.00 pm.
- (v) Application is disposed of.

[PRAKASH D. NAIK, J.]