

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1424 OF 2017

IN

CRIMINAL APPEAL NO.674 OF 2014

Taslim Kamruddin Sayyad **Applicant**

V/s.

The State of Maharashtra ... **Respondent**

.....

Ms.Nasreen S. K.Ayubi, Appointed Advocate for the Applicant.

Mr.A.R.Kapadnis, APP for the Respondent/State.

....

CORAM : A.M.BADAR J.

DATED : 11th DECEMBER 2017.

P.C. :

1 This is an application by the applicant/accused for permitting him to go to UAE for the purpose of employment for the period of two years.

2 The applicant/accused is convicted of offences punishable under Section 4 of Protection of Children from Sexual Offences Act, 2012 and Section 452 of the Indian Penal Code and short sentence of three years was awarded to him. He is already directed to be released on bail by this court during pendency of his appeal which is admitted for final hearing on 16/09/2014.

3 Heard the learned Advocate appearing for the applicant/accused as well as the learned Additional Public Prosecutor for the respondent/State. The learned Additional Public Prosecutor submits that suitable conditions be imposed on the applicant/accused.

4 The appeal filed by the applicant/accused is recently admitted for final hearing. Considering the pendency of appeals before this Court, the appeal filed by the appellant may not be heard in near future. In that view of the matter, his presence before the Court will not be necessary at least for a period of two years.

5 It is seen that the applicant has obtained visa from UAE and he wants to go there for job as 'Air Conditioner Technician' for the period of two years. Considering the fact that for earning his livelihood the applicant/accused wants to go to UAE for the period of two years, the application is allowed with following Order :

- (i) On furnishing cash security of Rs.5,000/- with the Registry of this Court, the applicant/accused is permitted to go to UAE for the period of two years.
- (ii) As a condition of this Order, the applicant/accused shall furnish his local address as well as the address on which

he wants to reside at the UAE to the concerned Police Station.

(iii) As the instant application is being allowed, the condition No.2 in Order dated 16/09/2014 passed on Criminal Application No.1116 of 2014 is modified and the applicant/accused is directed to report to the learned Sessions Court, Vasai on his return from the UAE after two years and then continue to attend the said Court as per the Order dated 16/09/2014.

(iv) The application is accordingly disposed of.

(A.M.BADAR J.)