

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE JURISDICTION

**CRIMINAL APPLICATION NO.1583 OF 2014
IN
CRIMINAL APPEAL NO.350 OF 2013**

Vinayak Shivaji Katkar & Ors. ... **Applicants**
V/s.
The State of Maharashtra ... **Respondent**

.....

Mr.Dilip Bodake, Advocate for the Applicants.
Ms.A.A.Takalkar, APP for the Respondent/State.

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CORAM : A.M.BADAR J.

DATED : 11th APRIL 2017.

P.C. :

1 This is an application by appellant/accused for relaxation of condition No.(ii) of the order dated 26/03/2013 passed by this in Criminal Application No.452 of 2013.

2 Heard both sides. The learned Additional Public Prosecutor opposed the application by contending that considering the nature of offence and the fact that the applicants have been granted liberty during pendency of the appeal by suspending the sentence, they should comply clause No.(ii) of the order dated 26/03/2013. Applicant/accused are aged persons residing at

village Kirakasal in Tahsil Man of District Satara. Offences punishable under Sections 3(1)(x) read with Section 6 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 as well as Section 323 and 506(II) of the Indian Penal Code is held to be proved against accused persons by the learned Special Judge, Vaduj. They are released on bail with a direction to report to the Sessions Court, Vaduj once in a six months on the day as may be specified by the Sessions Court. It is argued that applicants are regularly giving their attendance with the Court of Additional Session Judge, Vaduj. It is also stated that applicants are suffering from ailments associated with their age which is on the higher side. I see merit in contention of applicants and, therefore, for the reasons stated in the application, the following order :

- (i) The application is allowed.
- (ii) Condition No.(ii) in the order dated 26/03/2013 passed by this Court on Criminal Application No.452 of 2012 relating to attendance of applicants at Sessions Court, Vaduj is deleted.

(A.M.BADAR J.)