

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (ABA) NO.899/2017

Chandrashekhra Madhavrao Patil ..vs.. State of Maharashtra through PSO P.S.
Ramtek, Dist. Nagpur

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

Court's or Judge's orders.

Mr. P. S. Jaiswal, Advocate for applicant.
Mr. T. A. Mirza, A.P.P. for non applicant-State.

CORAM : V.M. DESHPANDE, J.

DATED : DECEMBER 19, 2017

1. Heard Mr. Jaiswal, Advocate for applicant and
Mr. Mirza, A.P.P. for non applicant-State.

2. The applicant is apprehending his arrest in
connection with Crime No.640/2017 registered with
Police Station, Ramtek, Dist. Nagpur for an offence
punishable under Sections 354, 354 (A), 354 (D) of the
Indian Penal Code and Sections 3 (2) (V) (A), 3 (1) (W)
(A), 3 (1) (W) (II) of the Scheduled Castes and Scheduled
Tribes (Prevention of Atrocities) Act, 1989.

3. The application is opposed vehemently by the
learned A.P.P. on the ground that the present applicant
who is working as Assistant Block Development Officer
has sent obscene messages on the mobile phone of the
victim, who is working as Gram Sevam, in Mahadula
Gram Panchayat. The learned A.P.P. has made available
messages alleged to have been sent by present applicant.

4. After having gone through those messages, this
Court is of the view that, prima facie, those messages

cannot be termed as obscene messages. The applicant is an Assistant Block Development Officer. If the applicant is arrested then not only his image will be tarnished but there is possibility of losing his job also.

5. In that view of the matter, the applicant can be granted anticipatory bail. Hence, following order is passed.

ORDER

- (i) Criminal Application No.899/2017 is allowed.
- (ii) The applicant-Chandrashekhar Madhavrao Patil, in the event of arrest in connection with Crime No.640/2017 registered with Police Station, Ramtek, Dist. Nagpur for an offence punishable under Sections 354, 354 (A), 354 (D) of the Indian Penal Code and Sections 3 (2) (V) (A), 3 (1) (W) (A), 3 (1) (W) (II) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, be released on bail on he executing P.R. Bond in the sum of Rs.25,000/- with two solvent sureties in the like amount.
- (iii) The applicant shall attend Police Station, Ramtek, Dist. Nagpur once in a month i.e. on the last Sunday between 03.00 p.m. to 05.00 p.m.
- (iv) The applicant shall not send any message of whatsoever nature to the complainant/victim.

The application stands disposed of.

JUDGE