

Santosh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 358 OF 2018

Selapandi Subramaniam Nadar	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr. A. S. Malviya, i/b R. B. Mungekar, for the Applicant.
Mr. M. G. Patil, APP for the State/Respondent.
Mr. Ramesh Sonawane, PSI, Gorai Police Station, Thane.

CORAM: A. S. GADKARI, J
DATED: 14th JUNE, 2018

PC:-

1. This is an application under Section 439 of Cr.P.C. for bail in CR No.28 of 2017 dated 16th September, 2017 registered with Gorai Police Station, Mumbai, under Sections 354, 376(2)(N), 506, 323, 328 of Indian Penal Code and Section 67(a) of Information Technology Act.
2. Heard the learned Counsel for the Applicant and the learned APP. Perused the charge sheet.
3. The prosecution case in brief is that, the applicant represented the prosecutrix that, he will provide her job in

the film industry, lured her and initially took her at Gorai beach and there in a hotel after administering stupefying substance in a cold drink and it is alleged that the applicant committed an offence as contemplated under Section 376 of Indian Penal Code. It is further alleged that the applicant also took objectionable photographs of the prosecutrix at the relevant time and subsequently by threatening her to publish/circulate the said photographs exploited her. It is also the case of the prosecution that, the applicant by giving false promise to give job to the prosecutrix in film industry called her at Goa and further sexually exploited her. In the premise the first information report is lodged on 16th September, 2017 by the prosecutrix.

During the course of investigation, the applicant has been arrested on 1st October, 2017 and after completion of investigation police have submitted charge-sheet.

4. It appears from the record that the alleged relations between the applicant and the prosecutrix were continued from August-2016 to April-2017 and the prosecutrix despite having sufficient opportunity to lodge crime against the applicant did not do it for a substantial period. The learned

Counsel for the applicant submitted that when the applicant could not give a permanent job to the prosecutrix in the film industry, being enraged by the same, she has filed the present crime.

5. The investigation of the present crime is already completed and the police have submitted charge-sheet. The possibility of conclusion of trial of the present crime in near future is blink. In view thereof, the applicant can be released on bail.

Hence the following order.

(i) The Applicant be released on bail in CR No.28 of 2017 dated 16th September, 2017 registered with Gorai Police Station, Mumbai, on his furnishing P.R. bond of Rs.25,000/- with one or two solvent local sureties in the like amount.

(ii) The Applicant is directed to attend the Gorai Police Station, Mumbai on every first Monday of the month between 11.00 am. to 1.00 pm. till conclusion of trial.

(iii) The Applicant shall attend all the dates in the Trial Court.

(iv) The Applicant shall not contact the prosecutrix and shall not tamper with the evidence and/or influence the prosecution witnesses.

6. Application is allowed in aforesaid terms.

[A. S. GADKARI, J.]