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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.1887 OF 2018

Tulshiram Ankush Chandane **..Applicant**
Vs
The State of Maharashtra . **..Respondent**

Mr. Rahul Dhaygude for Applicant.
Mr. Amit Palkar, APP for State.

CORAM : A.S.GADKARI, J.

DATE : 28th November 2018.

P.C.:

1] This is an application under Section 439 of Cr. P.C. for bail in CR No. 17 of 2018 dated 17.1.2018 registered with Koregaon Police Station, District- Satara under Sections 354(A)(1), 323, 504 of Indian Penal Code and section 8 of the Protection of Children From Sexual Offences Act (POCSO Act).

2] Heard the learned Counsel for the applicant and the learned APP. Perused the chargesheet.

3] The first information report is lodged by the prosecutrix aged about 18 years at the time of date of lodgment of crime. The incident relates back to 16.3.2013 when the prosecutrix was aged about of 13 years

and was a minor. With a view to protect the identity of the prosecutrix and in consonance with the provisions of Section 228(A) of the Indian Penal Code and under Section 33(7) of the Protection of Children From Sexual Offences Act (POCSO Act), the detailed narration of facts mentioned in the first information report and other relevant statements of witnesses disclosing her identity are hereby avoided.

4] It is the prosecution case that, the applicant was a Founder and Principal of Prabodhini Blind School, Koregaon, Satara where the prosecutrix was taking her education. The prosecutrix is a partially blind and her vision is 25% functional. That on 16.3.2013 beteen 8.30 a.m and 9.30 a.m when the prosecutrix was in his office for cleaning work, the applicant under some pretext, touched the prosecutrix inappropriately. When the prosecutrix shouted for help, it is alleged that the applicant gave kick on her private part. It is further alleged that, the applicant extended threats of dire-consequences to the prosecutrix and therefore she did not reveal the said fact immediately to anybody. During the course of investigation, the applicant came to be arrested on 18.1.2018 and after completion of investigation the police have submitted chargesheet.

5] The learned counsel for the applicant submitted that, there is dispute between the applicant and other Committee Members over the control of Management of the said school and with a view to have absolute control over the said Management, the rivals of the applicant instigated prosecutrix to lodge the present crime. There are few other victims who have made similar allegations against the applicant.

6] After taking to consideration the allegations made against the applicant and since the applicant is in jail from 18.1.2018 coupled with the fact that, the investigation of the present crime is completed and the police have submitted chargesheet, further incarceration of the applicant is not necessary and he can be released on bail.

Hence the following Order:-

i] Applicant be released on bail in CR No. 17 of 2018 registered with Koregaon Police Station, District- Satara , on his furnishing PR bond of Rs.25,000/- with one or two solvent local sureties in the like amount.

ii] After his release from jail, the Applicant shall attend the Koregaon Police Station, Satara on every 1st Monday of the month between 11.00 a.m to 1.00 p.m and to join the process of investigation till

conclusion of trial.

iii] Applicant shall also attend all the dates before the Trial Court.

7] Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)