

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO. 1048 OF 2017
IN
ANTICIPATORY BAIL APPLICATION NO. 62 OF 2017**

Mamatha Binoy Thomas

... Applicant

V/s.

Mr. Binoy Thomas Joseph & Ors.

... Respondents

Mr. S.S. Karmarkar for Applicant.

Mr. M.S. Mohite i/b Manoj Mhambrey for the Respondents

Mr. S.S. Hulke, APP for the Respondent/State.

CORAM : A.S.GADKARI, J.

DATE : 8th JANUARY, 2018

P.C.:

. This is an application filed by the first informant Smt. Mamatha Thomas in C.R. No. 622 of 2016 dated 27.12.2016 registered with Malad Police Station, Mumbai under Sections 498-A, 406, 324, 323, 506(II) read with Section 34 of the Indian Penal Code, for withdrawal of an amount of Rs.16,66,000/- deposited by the Accused in this Court in furtherance of Order dated 12.10.2017.

2 Mr. Mohite, learned Counsel appearing for the Respondents herein on instructions submitted that, without prejudice to the rights and contentions to be raised by the Respondents at the time of trial of the present crime or in any other proceedings to be adopted by them, the Respondents herein have no objection for

withdrawal of said amount by the Applicant.

3 In view of the above and for the reasons stated in the application, the application is allowed in terms of prayer clause (a).

Registry is hereby directed to release the amount of Rs.16,66,000/- in favour of the Applicant after complying with the necessary formalities such as undertaking etc. within a period of three weeks from the date of receipt of the present order.

4 Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)