

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.610 OF 2018

Vipul Pramod Dube ... **Applicant**
V/s.
The State of Maharashtra ... **Respondent**

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Mr.Datta Mane, Advocate for the Applicant.

Mr.S.R.Agarkar, APP for the Respondent/State.

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CORAM : PRAKASH D. NAIK J.

DATED : 19th DECEMBER 2018.

P.C. :

1 Not on board. Taken on production board on being mentioned for urgency.

2 This is an application for modification of Order dated
26th April 2018 passed by the learned Additional Sessions Judge –
1, Vasai. The applicant was arrested in connection with Crime
No.452 of 2018 registered with Tulinj Police Station for the
offences punishable under Section 354 of the Indian Penal Code
and under Section 12 of the Protection of Children from Sexual
Offences Act, 2012.

3 The applicant was directed to be released on bail by the learned Additional Sessions Judge – 1, Vasai by Order dated 26th April 2018. He was directed to remain outside the Vasai taluka till disposal of the case. He was permitted to attend the dates of the hearing of the case. Other conditions were also imposed. It is submitted that he was conducting coaching classes which are situated within the Vasai taluka and on account of condition to remain outside Vasai, this applicant is not in a position to attend the classes since the date of his arrest i.e. on 24th April 2018. It is submitted that the students and parents of the students, who are taking tuition in the said class have filed their representation about the hardship caused to the students on account of non-availability of the applicant. The condition is imposed in order to protect the complainant/victim. It is submitted that the victim is residing in the same area.

4 Considering the fact that the applicant is a teacher coaching to the students and the class is situated in the Vasai taluka, the condition can be relaxed to the extent that the applicant is permitted to enter into Vasai taluka to attend the coaching classes. Hence, I pass the following Order :

ORDER

- (i) The bail Order dated 26th April 2018 passed by the Additional Sessions Judge, 1, Vasai is modified and the applicant is allowed to enter in the Vasai only to attend the coaching classes situated at Shop No.3/4, Sai Sadan

Society, Ostwal, Opposite Navjeevan School, Nalasopara (East).

(ii) The other conditions shall remain intact.

(iii) The application is disposed of accordingly.

(PRAKASH D. NAIK J.)