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

ANTICIPATORY BAIL APPLICATION NO. 605 OF 2019

Kongar Pally Parameshwaram Ravi	...	Applicant
Vs		
The State of Maharashtra	...	Respondent

Mr.A. Shirodkar i/b. Mr.Ritesh Ratnam for Applicants.
Mr.Amit Palkar, APP for State.
Mr.Suraj Mulani, API, Azad Maidan Police Station.

CORAM : A.S.GADKARI, J.
DATE : 12th March 2019.

P.C.:

1] This is an application for pre-arrest bail in C.R. No. 232 of 2018 dated 19/09/2018 registered with Azad Maidan Police Station for the offence punishable under Section 465, 467, 468, 471 read with 120(B) of the Indian Penal Code.

2] The applicant is a practicing advocate and aged about 76 years old as on today. It is the allegation against the applicant that certain documents which have been produced in the judicial proceedings before this Court in Suit No. 1526 of 2002 and according to the prosecution they are forged and fabricated documents. A copy of the same was found in the

computer of the applicant.

3] The report submitted by the Investigating Officer to the Sessions Court dated 21/11/2018 mentions that, both the kidneys of the applicant have failed and the lower portion of his body below the waist is in swollen condition. That he is unable to walk properly and requires dialysis on alternate days. The Investigating Officer has fairly conceded to the fact that at that juncture it was not possible to arrest him in view of his critical medical condition. Learned APP, on instructions from the Investigating Officer, said that the said critical medical condition exists today also.

4] It appears to this Court that if the custody of the applicant is granted to the police, he may have to face critical medical emergency and in that event, it will be very difficult for the Investigating Officer/Investigating Agency to provide urgent medical help.

In view of the peculiar facts of the present case, the applicant can be protected by pre-arrest bail.

5] Hence, following order.

- (i) In the event of arrest in CR No. 232 of 2018 registered with the Azad Maidan Police Station, the applicant shall be released on bail on his furnishing PR bond in the sum of Rs.25,000/- with one or two

local sureties in the like amount.

- (ii) Applicant shall not tamper with the evidence and/or interfere with the process of investigation.
- (iii) Applicant to cooperate with the process of investigation.
- (iv) Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)