

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

CRIMINAL APPLICATION NO. 148 OF 2019

Mrs.Santosh Khemraj Todi & Ors.

...Applicants

Versus

The State of Maharashtra

...Respondent

Ms.Chaula Solanki a/w.Mr.H.H.Nagi i/b.Nagi & Associates for the Applicants.
Mrs.M.R.Tidke, APP for the Respondent-State.

**CORAM : MRS. MRIDULA BHATKAR, J.
DATE : 01 APRIL 2019**

P.C.:

1. Upon urgent mentioning, taken on production board.
2. This Criminal Application is directed against the order dated 08.03.2019 passed by the learned Additional Sessions Judge, City Civil & Sessions Court, Borivali Division, Dindoshi in Misc. Application No. 259 of 2018.
3. The applicants/accused are facing prosecution under sections 498-A and 406 read with 34 of the Indian Penal Code.

4. By this Criminal Application, the applicants/accused seek modification of the condition imposed on the applicants/accused at the time of granting anticipatory bail by order dated 26.04.2017 passed by the learned Additional Sessions Judge, City Civil Court, Borivali Div., Dindoshi, Mumbai. The applicants/accused were directed to take permission of the Court if they want to travel abroad.

5. Learned Counsel for the applicants/accused submits that applicant No.2 has to go abroad i.e., Munchen, Germany for taking medical assistance and, therefore, applicant No.1 i.e., wife requires to accompany applicant No.2 during the period of travel. She further submits that applicant Nos. 3 and 4 want to go abroad for their job.

6. Learned Public Prosecutor submits to the order of this Court.

7. In view of the submissions made by the learned Counsel and the reasons mentioned in the Criminal Application, I pass the following order :

ORDER

- (i) Criminal Application is allowed;
- (ii) Condition No. (a) imposed on the applicants/accused by the learned Additional Sessions Judge, City Civil & Sessions Court, Borivali Division, Dindoshi vide order dated

08.03.2019 is hereby relaxed. Instead of seeking permission of the Court before travelling abroad, the applicants/accused are directed to furnish their itineraries and the details of whereabouts to the Sessions Court whenever they want to leave India.

(MRIDULA BHATKAR, J.)