

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

CRIMINAL APPEAL NO. 828 OF 2019

Parshuram Dhanappa Madgyal ...Appellant

Versus

The State of Maharashtra & Anr. ...Respondents

Kuldeep Patil – Advocate for the appellant
Ghansham S. Jadhav – Advocate for the Respondent -2
Mrs. J. S. Lohakare – APP for the Respondent – State
S. T. Gadhave, PSI, Jath, Sangli.

CORAM : DAMA SESHADRI NAIDU, J.

DATE : 8th JULY, 2019.

P.C. :

The appellant is one of the accused in Crime No. I-0224 of 2019, registered with the Jath Police Station, District Sangli, for the offences punishable under Sections 395, 341, 143, 147, 149, 323, 504 of the IPC and Section 3 (1)(r) (s), 3 (2)(va), 3 (1) (2a) (A) G of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

2. The complaint was lodged on 18.04.2019, and the appellant was arrested on 15.05.2019. The appellant faced the allegation that with a group of people, that is the other co-accused, he has obstructed the procession taken out by the

complainant and others on the occasion of Dr. Babasaheb Ambedkar's Jayanti. The applicant and other accused have not only abused the complainant with his caste name but also used physical force.

3. The learned counsel for the appellant states that the other accused have secured interim anticipatory bail from this Court, in a connected case.

4. Grave may be the allegations, the appellant has already been in custody for close to two months.

5. At this juncture, the learned counsel for the second respondent-complainant informed the Court that the appellant is also an accused in an offence under Section 302. Therefore, given the appellant's alleged antecedents, the learned counsel insists that this Court keep the appellant away from the village until the police complete the investigation and file a charge-sheet.

6. Under this circumstances, I direct the release of the appellant on bail subject to the following conditions :

ORDER

(i) If appellant/accused is arrested in connection with Crime No.

I-0224 of 2019, registered with the Jath Police Station, District Sangli, be released on bail on his furnishing P.R. Bonds for Rs. 25,000/-, with one or more sureties for the like sum.

(ii) The appellant should keep himself away from the village until the police complete the investigation and file the charge-sheet.

(iii) Pending the appeal, the appellant should not contact the first informant, or any other witness in any manner.

(iv) If the appellant/accused fail to abide by these conditions, it entails the Prosecution to seek the cancellation of the bail now granted.

[DAMA SESHADRI NAIDU, J.]