

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

WRIT PETITION NO.4605 OF 2019

Armogam Nadesan Arundatiyar ... Petitioner
Vs
The State of Maharashtra ... Respondents

...
Mr. Prosper D'Souza (Appointed) for the Petitioner.
Mrs. M.H.Mhatre, APP for the Respondent-State.
Mr. P.M. Nagaveadr Jail-GR-2, Nashik Central Prison
present.

**CORAM : B.P.DHARMADHIKARI &
SANDEEP K. SHINDE JJ.**
DATE : OCTOBER 14, 2019

P.C. :

*Heard learned counsel (appointed) and the
learned APP for the State.*

2 *Order dated 18th March, 2019 rejects furlough
leave on the ground that police report is adverse. Appellate
Authority has maintained it on 8th August, 2019.*

3 *Records produced by the learned APP do not
show any adverse material to arrive at finding that the
petitioner is likely to abscond or is likely to indulge in any
offence. In report dated 2nd February, 2019 forwarded by PI*

(Crimes) Vadala Truck Terminal Police Station to DCP, Circle IV, Matunga shows only one line, which contains such apprehension. Facts necessary to record it are missing.

4 *We, therefore, quash and set aside the impugned orders and direct authorities to release the petitioner on furlough leave on suitable terms and conditions within four weeks after receipt of this order.*

5 *Petition is partly allowed and dispose of.*

Order be communicated to the prisoner in jail.

(SANDEEP K. SHINDE, J.) (B.P.DHARMADHIKARI, J.)