

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
ANTICIPATORY BAIL APPLICATION NO. 2111 OF 2019**

Kalyani Hiriyanna Shetty  
Versus  
The State of Maharashtra

...Applicant  
  
...Respondent

Mr. Milan Desai i/b Mr. T. R. Patel for the Applicant

Mr. S. V. Gavand, A.P.P for the Respondent-State

**CORAM : REVATI MOHITE DERE, J.**  
**FRIDAY, 27<sup>th</sup> SEPTEMBER 2019**

**P.C.**

1            Heard learned counsel for the parties.

2            By this application, the applicant seeks pre-arrest bail in connection with C.R. No. 293 of 2019 registered with the Malad Police Station, for the alleged offences punishable under Sections 294, 114 r/w 34 of the Indian Penal Code and under Sections 8(2)(3)(4)(5)(6) of the Maharashtra Prohibition of Obscene Dance in Hotels, Restaurants and Bar Rooms and Protection of Dignity of Women (Working Therein) Act.

3            Perused the papers. The applicant is aged 74 years and is the owner of Aruna Bar and Restaurant. It appears that the applicant had given

the said Bar and Restaurant to Ravi Ramayya Shetty and Vasu Shankar Shetty on leave and license basis for five years from 27<sup>th</sup> July 2016. A raid was conducted on the said Bar and Restaurant on 2<sup>nd</sup> July 2019. It is alleged that the girls were found dancing in the said Bar in an obscene manner, pursuant to which, the aforesaid FIR was registered. Admittedly, the applicant was not present at the spot.

4           Considering what is stated aforesaid, custodial interrogation of the applicant is not warranted.

5           Accordingly, the application is allowed and the applicant is granted pre-arrest on the following terms and conditions :

**ORDER**

(i)   In the event of the arrest, the applicant be enlarged on bail on executing P.R. Bond in the sum of Rs. 10,000/- with one or two sureties in the like amount;

(ii)   The applicant shall report to the Investigating Officer of the concerned Police Station, as and when called.

6           The application is disposed of in the aforesaid terms.

7           It is made clear that the observations made herein are *prima facie*, for the purpose of deciding this application.

8           All concerned to act on the authenticated copy of this order.

**REVATI MOHITE DERE, J.**