

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

**ANTICIPATORY BAIL APPLICATION NO.2052 OF 2016
WITH
ANTICIPATORY BAIL APPLICATION NO.2053 OF 2016**

1) Ravi Periswamy Devendra; and
2) Mrs.Uma Ravi Devendra .. Applicants
Vs.

State of Maharashtra & Anr. .. Respondents

Mr.Shriniwas Singh, Advocate for the Applicant.

Mr.S.R. Agarkar, APP for Respondent - State.

Mr.K.M. Kadam I/b. Mr.Pramod Kathore, Advocate for the Intervener.

CORAM : PRAKASH D. NAIK, J.

DATE : JANUARY 28, 2019.

P.C.

Applicants in both these applications are seeking anticipatory bail vide Section 438 of Code of Criminal Procedure in connection with C.R.No. 423 of 2015, registered with Juhu Police Station, Mumbai, for the offences punishable under Sections 498(A) and 406 read with 34 of Indian Penal Code ("IPC", for short). The marriage between the complainant and applicant no.1 in ABA No.2053 of 2016, was solemnized in 2005. First Information Report ("FIR", for short) was lodged in 2015. Apart from that the applicant husband has initiated the proceedings of

restitution of conjugal rights. Complainant has also filed application under Section 12 of the Domestic Violence Act, which is pending before the respective Court. Applicant was granted interim protection vide order dated 15th February, 2017. Applicants were directed to report concerned police station. Learned counsel for the applicants submits that they have reported the police station. Applicants in ABA No.2052 of 2016, are brother-in-law of the complainant and his wife. Whereas, the applicants in ABA No.2053 of 2016 are husband, mother-in-law and brother-in-law. Learned counsel for the intervener submitted that after rejection of the application by the Sessions Court on 21st July, 2018, the husband of the complainant has threatened her mother and NC complaint in that regard has been lodged. The application is pending in this Court since 2016. The dispute arises out of matrimonial discord between the parties. Learned APP, on instructions from the officer who is present in the Court submits that during pendency of this application the investigation has been completed and within a period of about eight days charge-sheet would be filed against the applicants. Considering the aforesaid circumstances, the interim relief granted on 15th February, 2017, deserves to be confirmed.

2 Hence, I pass the following order:

:: ORDER ::

- (i) Anticipatory Bail Application Nos.2052 and 2053
of 2016, are allowed;

(ii) In the event of arrest of the applicants in connection with C.R.No. 423 of 2015, registered with Juhu Police Station, Mumbai, they be released on their furnishing P.R. Bond in the sum of Rs.20,000/-, each, with one or more sureties in the like amount;

(iii) Anticipatory Bail Applications stand disposed of.

(PRAKASH D. NAIK, J.)