

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL BAIL APPLICATION NO. 3293 OF 2018**

Kannathasan Karththeepan

.....Applicant

Vs.

The State of Maharashtra

....Respondent.

WITH**CRIMINAL BAIL APPLICATION NO. 3294 OF 2018**

Gajan Chandrabalan

.....Applicant

Vs.

The State of Maharashtra

....Respondent.

Mr. Dinesh Tiwari with Mr. Dinesh Tiwari a/w Mr. Swapnil Ambure, Mikhail Dey and Tanvi Mehta I/by Dinesh Tiwari & Associates for the Applicant.

Mr. R.M. Pethe, APP for the Respondent-State.

CORAM : A. S. GADKARI, J.**DATE : 24th JANUARY, 2019.****P.C.:-**

These are the consecutive Bail Applications of the Applicants-Original accused Nos. 2 and 3 respectively. The earlier Bail Application No. 2182 of 2017 preferred by the Applicants along with other two co-accused was rejected by an Order dated 24th February,

2018 by this Court.

2 The record indicates that the Applicant No. 4 therein namely Ms. Kaveenthini Kandasamy preferred a Special Leave to Appeal bearing No. 9561 of 2018 before the Hon'ble the Supreme Court against the said Order dated 24th February, 2018. The Supreme Court by its Order dated 4th December, 2018 granted leave to the said Applicant and the said Special Leave to Appeal was converted in Criminal Appeal No. 1551 of 2018.

 The Hon'ble the Supreme Court, by its Order dated 4th December, 2018 was pleased to allow the said Appeal granting bail to the said Appellant/Applicant. While granting bail to the said Applicant, the Supreme Court has taken into consideration the fact that, the passport of the said Applicant has been deposited with the police authorities and there is no threat of her leaving the country.

3 In the present Applications also the same criteria applies. Even otherwise, on the facts, the Applicants are entitled to be released on bail on the ground of parity with the co-accused namely Ms. Kaveenthini Kandasamy who has been admitted to bail by the Hon'ble the Supreme Court.

4 In view thereof, the Applicants are entitled to be released on bail.

Hence, the following Order:-

- a) Applicant, Kannathasan Karththeepan in Criminal Application No. 3293 of 2018 and Applicant, Gajan Chandrabalan in Criminal Application No. 3294 of 2018, shall execute separate PR bond in the sum of Rs.1,00,000/- (Rupees One Lakh only) each.
- b) They shall deposit cash security of Rs.50,000/- (Rupees Fifty Thousand only) each with the Trial Court.
- c) The Srilankan, UK and German Embassy shall not issue any travel document to Accused Nos. 2 and 3 during the pendency of the Trial.
- d) The passport of Accused Nos. 2 and 3 shall remain deposited with the Trial Court and they shall not leave the country during the pendency of the trial.
- e) The Applicants, before their actual release from jail, shall submit the documents of their prospective residence to the concerned police station along with

mobile/phone number for contact at the said place of residence.

- f) The Applicants shall inform about their residential address where they intend to reside after their release from jail and in case of change of address, inform from time to time to the concerned police station.
- g) Both the Criminal Applications are accordingly disposed off, in the above terms.

(A.S. GADKARI, J.)