

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

Criminal Application (BA) No. _____ of 2020 (LD-VC No. 694 of 2020)

[Anil @ Panchya S/o Dewaji Kulmethe Vs. The State of Maharashtra through P.S.O., P.S. Gondpipri, Dist. Chandrapur]

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri S. O. Ahmed, Advocate for the applicant
Mrs. H. N. Prabhu, APP for the State/non-applicant

CORAM : M. G. GIRATKAR, J.

DATE : 27/07/2020

Hearing was conducted through Video Conferencing and the learned Counsel agreed that the audio and visual quality was proper.

2. Heard Shri S. O. Ahmed, learned Advocate for the applicant. He has pointed out medical report and submitted that there was no any injury on the person of the victim. Learned Advocate has submitted that investigation is complete and charge-sheet is filed. There is no progress before the trial Court, therefore, prayed to grant bail.

3. Mrs. Prabhu, learned Additional Public Prosecutor for the non-applicant/State has pointed out charge-sheet and submitted that allegations in the report are well founded. It is corroborated by the CCTV footages filed on recorded. At last, she submitted that the applicant has committed a heinous offence punishable under Section 377 of the Indian Penal Code on a mentally retarded person and, therefore, the application is liable to be

rejected.

4. Perused the copy of charge-sheet. The CCTV footages show the unnatural sex by applicant with the victim. The victim is a mentally retarded person. Investigation is complete and charge-sheet is filed, looking to the CCTV footages, the applicant is not entitled for bail. Hence, the application is rejected.

5. This order be communicated to the Counsel appearing for the parties, either on the email address or on WhatsApp or by such other mode, as is permissible in law.

JUDGE

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