

VISHWANATH
SATYANARAYANA
SHERLA

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

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SHERLA
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CRIMINAL ANTICIPATORY BAIL APPLICATION NO.137 OF 2022

1. Nikhil Premraj Kalapadan
 2. Premraj Velayudhan Kalapadan
 3. Renjini Premraj Kalapadan
- ... Applicants

Vs.

1. State of Maharashtra
At the instance of Kasturba Marg Police Station
 2. The State of Madhya Pradesh
(At the instance of Mahile Police Station, Ratlam
vide C.R. No.38 of 2021)
- ... Respondents

Ms.Anjali Patil for the Applicants
Mr.S.S. Hulke, APP, for Respondent – State

**CORAM: S.S. SHINDE &
N.R. BORKAR, JJ.
DATED: JANUARY 27, 2022**

P.C.:

1. This Application is filed by the applicants seeking transit anticipatory bail for a period of four weeks. The applicants are apprehending their arrest in C.R. No.38 of 2021 registered at Mahila Police Station, Ratlam (Madhya Pradesh) for the offences punishable under sections 498-A, 323, 294, 354, 354A read with section 34 of the Indian Penal Code. The applicants have received a notice under section 41A of the Code of Criminal Procedure and

are asked to appear before the concerned Investigating Officer, in the aforesaid C.R. No.38 of 2021.

2. It is submitted that a limited protection may be granted to the applicants so as to enable them to cause appearance before the concerned police officer in response to the notices received by the applicants under section 41A of the Code of Criminal Procedure and to approach the jurisdictional court for anticipatory bail. In support of the contention that this Court can grant transit anticipatory bail for a limited period, the learned Counsel appearing for the applicants pressed into service unreported Judgments/Orders of this Court in **Amol Gunaji Sonawane & another vs. The State of Maharashtra & another¹**, **Neeraj Shyam Sahay vs. The State of Maharashtra & others²**, **Kawal Chamanlal Sharma vs. The State of Maharashtra & another³**, **Nikita Jacob vs. The State of Maharashtra⁴**, **Shantanu Shivilal Muluk vs. The State of Maharashtra⁵**, **Javed Anand & another vs. State of Gujarat & another⁶** and a reported judgment in the case of **N.K. Nayar and**

1 Cr.ABA No.1770 of 2021 decided on 6th August, 2021

2 Cr.ABA No.397 of 2021 with Cr.ABA No.399 of 2021 decided on 12.2.2021

3 Cr.ABA St. No.3041 of 2020 decided on 10th December, 2020

4 Cr.ABA No.441 of 2021 decided on 17th February, 2021

5 ABA No.154 of 2021 decided on 16th February, 2021 (Aurangabad Bench)

6 ABA No.627 of 2018 decided on 5th April, 2018

others vs. State of Maharashtra & others⁷.

3. Learned APP fairly states that this Court had an occasion to consider similar prayers in the aforesaid cases and this Court had granted limited relief granting protection for specified period.

4. Heard the learned Counsel appearing for the applicants and the learned APP appearing for the Respondent – State. We have carefully perused the averments in the application so also various orders passed by this Court, which are placed on record by the learned Counsel appearing for the applicants, granting transit anticipatory bail for a limited period.

5. In the peculiar facts and circumstances of this case, we are inclined to allow the application thereby granting three weeks protection to the applicants. Hence, the following order:

(i) In the event of the arrest of the applicants in relation to C.R. No.38 of 2021 registered against the applicants herein, with Mahila Police Station, Ratlam, the applicants shall be released on interim transit bail for a period of three weeks i.e., till 17th February, 2022 on executing a personal bond in

⁷ 1985 Cri.LJ 1887

the sum of Rs.20,000/- each (Rupees Twenty thousand) with one surety in the like amount.

(ii) The applicants shall appear before the concerned Investigating Officer in connection with the aforesaid C.R. No.38 of 2021 on 7th February, 2022 and thereafter appear before the Investigating Officer as and when called for the purpose of investigation.

(iii) It is hereby made clear that no prayer for extension of time beyond 17th February, 2022 shall be entertained on any count whatsoever.

(iv) Registry shall communicate this order to the Inspector of Police, Mahila Police Station, District Ratlam, Madhya Pradesh.

(v) Tag this Application alongwith Anticipatory Bail Application No.627 of 2018.

6. All concerned to act on an authenticated copy of this order.

(N.R. BORKAR, J.)

(S.S. SHINDE, J.)