

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

CRI. ANTICIPATORY BAIL APPLICATION NO. 650 OF 2020

Lalit Chandrakant Madhavi ..Applicant

Vs.

The State of Maharashtra ..Respondent

Ms. Keral Mehta, for the Applicant.

Mr. S. R. Agarkar, APP for the Respondent / State.

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**CORAM : C.V. BHADANG, J.
DATE : 8 MARCH 2022**

P.C.

. Heard the learned counsel for the parties.

2. The Applicant, apprehending arrest, in connection with investigation of Crime No.14/2020 of Police Station Karkamb, District Solapur (Rural), under Section 59, 3(1)(a), 3(1)(zz)(v), 26(1), 26(2)(i), 26(2)(v) and 27(3)(e) of the Food Safety and Standards Act, 2006 and Section 328, 188, 272 and 273 r/w. 34 of IPC, is seeking anticipatory bail.

3. According to the informant, from 10 January 2020 to 11 January 2020, in a raid conducted at Shree Ram Milk Collection Centre of the co-accused Dattatray Mahadeo Jadhav at Sugaon Bhuse, Tehsil Pandharpur, District Solapur, following articles for manufacturing of artificial milk were recovered.

- (i) Whole Milk Powder 956 Packets of 500 gms each.
- (ii) Whey Permeate Powder 50 Bags of 25 Kgs each.
- (iii) Lactose Powder 33 Bags
- (iv) Liquid Paraffin 1 Barrel of 1258 Litres.
- (v) Sorbitol 1 Barrel of 1298 Litres.
- (vi) Melamine 3 Bags of 51 Kgs. each

The aforesaid articles were worth Rs.4,02,012/-. According to the informant, the aforesaid articles were stored by the co-accused Dattatray Mahadeo Jadhav for manufacture of artificial milk / adulteration of the milk.

4. The allegation in so far as the present Applicant is concerned, is that he had sold Melamine powder to the co-accused Dattatray Mahadeo Jadhav without issuance of any bill / invoice.

5. The learned counsel for the Applicant submitted that the wife of the Applicant namely Ms. Latika Lalit Madhavi is having an establishment by name *M/s. Mody Chem* for conducting the

business of chemical trading. It is submitted that there are no bills / invoices produced to show that it was the Applicant who had supplied Melamine to the co-accused Dattatray Mahadeo Jadhav. It is submitted that no such adulterating material is recovered from the Applicant.

6. The learned APP submitted that the investigation is complete and the chargesheet is filed.

7. Indisputedly, there is no recovery of any material used for adulteration from the present Applicant. The recovery from the co-accused Dattatray Mahadeo Jadhav has already been made.

8. There is interim protection operating in favour of the Applicant since 23 March 2022 i.e. for close to two years now. The investigation is stated to be complete and the chargesheet is filed.

9. Considering the over all circumstances, the following order is passed.

ORDER

(i) In the event of his arrest, in connection with investigation of Crime No.14/2020 of Police Station Karkamb, District Solapur (Rural), the Applicant Lalit Chandrakant Madhavi, be released on bail on

executing a P.R. Bond in the sum of Rs.25,000/- with one or two solvent sureties, in the like amount.

(ii) The Applicant shall report to the Investigating Officer on 21/3/2022 and 22/3/2022 between 11.00 a.m. to 1.00 p.m. and as and when required and shall cooperate with the Investigating Agency.

(iii) The Criminal Application is disposed of, in the aforesaid terms.

C.V. BHADANG, J.