

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

ANTICIPATORY BAIL APPLICATION NO. 723 OF 2022

Melony Anthony Pereira Applicant
v/s.
The State of Maharashtra Respondent

Ms. Babita P. Pandey, APP for the State.
Ms. A.A. Takalkar, APP for the State.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 17th MARCH, 2022.

P. C. :-

. This is an Application under section 438 of Cr.P.C. filed by the aforesaid Applicant apprehending her arrest in C.R.No.85/2022 registered with Virar Police Station for offences punishable under sections 141, 143, 147, 327, 452 r/w. 149 of the Indian Penal Code.

2. Heard Ms. Babita Pandey, learned counsel for the Applicant and Ms. A.A. Takalkar, learned APP for the State. I have perused the records and considered the submissions advanced by the learned counsel for the respective parties.

3. The aforesaid crime was registered pursuant to the FIR lodged by

Milind Manohar Shinde alleging that the husband of the Applicant is the owner of Room No.A/201 in Aster Apartment, Yashwant Nagar. The complainant was allegedly residing in the said room on leave and license basis. It appears that the leave and license agreement expired in June, 2021 but the complainant continued residing in the said premises without paying rent and without renewing leave and license agreement. The complainant alleges that the husband of the Applicant came with other co-accused and no specific role is attributed to her presence at the spot of the incident. Considering the nature of the offences and the nature of the accusations, in my considered view, no case is made out for custodial interrogation.

4. Hence, the Anticipatory Bail Application is allowed on following terms and conditions :-

(a) In the event of arrest of the Applicant in C.R.No.85/2022 registered with Virar Police Station, she shall be released on bail on furnishing bail bonds in the sum of Rs.20,000/- (Rupees Twenty Thousand only) with one or two sureties in the like amount ;

(b) The Applicant shall keep the Investigating Officer informed of her current address and mobile contact numbers, and/or change of residence or mobile details, if any, from time to time.

5. The Application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)

PREETI H JAYANI
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