

Anand

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

ANTICIPATORY BAIL APPLICATION NO. 1137 OF 2022

ANAND
SUDHAKAR
SUDAME

1. Tukaram Mahadu Borade .Applicants
2. Kunda Tukaram Borade

Vs.

The State of Maharashtra .Respondent

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by ANAND
SUDHAKAR
SUDAME

Date: 2022.04.27
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Mr. Gaurav Parkar, Advocate, for the Applicants
Mr. A. A. Palkar, APP, for the Respondent – State
Ms Madhuri A. Mulik, Neral Police Station, District – Raigad
present

CORAM : VINAY JOSHI, J.

DATE : 26.04.2022

P. C.

. Heard.

2. The Applicants are seeking pre-arrest protection only because their Anticipatory Bail Application has not been decided by the learned Sessions Court despite not granting interim protection. It is informed that on 06.04.2022, both the Applicants have applied to the Sessions Court for pre-arrest protection. The learned trial Judge has not granted interim protection but time to time

adjourned the matter and now, it has kept for hearing on 05.05.2022.

3. The Applicants are parents-in-law of the deceased lady. The principal offence is of abetment to commit suicide alongwith matrimonial harassment. It is brought to the notice that co-accused i. e. brother-in-law of the deceased has been time being protected. Since the matter is already seized by the Sessions Court, there is no priority in deciding this Application on merits. However, when once the learned Sessions Judge has declined to grant interim protection, he ought to have decided the main Application expeditiously. In the circumstances, the following order.

ORDER

(i) In the event of arrest, the Applicants namely - Tukaram Mahadu Borade and Kunda Tukaram Borade in C. R. No. 88 of 2022 registered at Neral Police Station, District - Raigad for the offences punishable under Sections 306, 498A r/w 34 of the Indian Penal Code, be released on interim bail on their furnishing P. R. Bond of Rs. 25,000/- each with one or two sureties in the like amount;

(ii) The interim protection shall remain in force till disposal of B. A. No. 303 of 2022 pending before the learned Sessions Judge, Panvel;

(iii) The learned Sessions Judge is requested to decide B. A. No. 303 of 2022 as expeditiously as possible and preferably within two weeks from the scheduled date i. e. 05.05.2022.

4. The Application stands disposed of in the above terms.

(VINAY JOSHI, J.)