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

CRIMINAL APPLICATION NO. 329 OF 2022

Ms. X ..Applicant
vs.
1. The State of Maharashtra
2. Mr. Ceril Anthony Koyalo ..Respondents

Ms. Saloni M. Ghule, for applicant.
Ms. A.A. Takalkar, APP for respondent-State.
Mr. Fakhruddin Khan, for respondent no. 2.

CORAM : M. S. KARNIK, J.

DATE : DECEMBER 16, 2022

P.C. :

1. Heard learned counsel for the applicant, learned counsel for respondent no. 2- accused and learned APP.
2. This is an application for cancellation of bail. It is contended that despite specific condition imposed by an order dated 27/06/2022 that on release, the accused shall not set his foot in the Ratan Nagar Chawl, Chakala, Andheri and that his family shall also remove themselves from the said premises and join the accused wherever he chose to

stay, the accused was found in the area where the applicant is residing. The allegation is that the accused has brazenly flouted the condition. Even the Investigating Officer submits that the accused is residing in the same premises from where he was to remove himself.

3. Learned counsel for the accused on instructions submitted that there was medical emergency and since his wife suffered an abortion, he had to rush. This conduct on the part of the accused which is in the teeth of the order passed by this Court releasing the accused on bail on certain condition, is not appreciated. In the interest of justice, as learned counsel for the accused submitted that he may be given an opportunity as the accused is now even willing to reside outside the area of Greater Mumbai and that a lenient view be taken, I am granting indulgence to the accused on the condition that the accused shall immediately remove himself from the area of Greater Mumbai and shall not enter Greater Mumbai till the trial is over except for attending the dates fixed by the trial Court. The family of the accused shall remove themselves from the

area of Andheri East.

4. Any further default on the part of the accused will be viewed very seriously including the consequence of inviting cancellation of bail already granted.

5. The application is disposed of.

(M. S. KARNIK, J.)