

Manoharan @ Monu @
Joyson Sundandra Sevlan ...Applicant
Vs.
The State of Maharashtra & Ors. ... Respondents

Mr.Dilip B. Shinde for the Applicant.
Mr.Y.Y. Dabke, APP for the Respondent-State.
Mr.Rahul B. Khot for the Intervenor.

DATE : 28 FEBRUARY 2022

P.C.

. The Applicant, apprehending arrest, in connection with the investigation of Crime No.60 of 2017 registered with Railway Police Station, Igatpuri, Nashik, under Section 363, 376(n) of Indian Penal Code and Section 3,4,5(j), 2(l) and 6 of the Protection of the Children From Sexual Offence Act, 2012 is seeking anticipatory bail.

2. The aforesaid crime is registered on the basis of the complaint lodged by Santosh Mishra who is the father of the victim-girl, who at the relevant time was aged about 17 years and 6 months.

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3. I have heard the learned counsel for the Applicant and the learned Additional Public Prosecutor and the learned counsel for the Respondent-Complainant.

4. It is undisputed that after the girl has attained majority, the Applicant and the victim have married and they have children and they are staying together. The learned counsel for the applicant submitted that still it is the father of the victim who is pursuing the matter and three FIR's arising out of the said incident have been filed.

5. There was interim relief which was operating before the learned Sessions Judge which has been continued by this Court by order dated 13 December 2021. The learned Sessions Judge has also found that the relationship was consensual in nature.

6. Considering the fact that, the victim had attained majority and the learned Additional Public Prosecutor did not dispute that the Applicant and the victim had married and there are children out of the said wedlock and they are residing together, this Application is disposed of in the following terms.

ORDER

(i) In the event of his arrest in connection with investigation of C.R.No.60 of 2017 Railway Police

Station, Igatpuri, Nashik, the applicant-Manoharan @ Mon @ Joyson Sundandra Sevlan shall 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 as and when called by the investigating officer and shall co-operate with the Investigating Agency.

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

C.V. BHADANG, J.