



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

BAIL APPLICATION NO. 333 OF 2023

SARASWATI SELVAM PILLE

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Keshav Chavan for the Applicant.

Mr. P. H. Gaikwad, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : OCTOBER 05, 2023

P.C. :

1. Heard learned counsel for the applicant and learned APP for the State.

2. This is an application for bail in respect of the offence punishable under Sections 397, 394, 506(2) and 34 of the Indian Penal Code, Sections 4 and 25 of the Indian Arms Act and Sections 37(1)(a) read with 135 of the Maharashtra Police Act, registered on 27/05/2021 vide C.R. No.473 of 2021 with Dindoshi Police Station, Mumbai.

3. The applicant is accused No.2. It is the case of the prosecution that 2 accused committed the aforesaid

offence. On the date of the incident, they entered a rickshaw and accused No.1, who is the brother of the present applicant, threatened the rickshaw driver/informant with a knife and robbed him of a mobile phone and Rs.500/-.

4. Learned APP submitted that there are accusations against the accused that they assaulted the informant. It is further submitted that there are as many as 4 cases registered against the present applicant at Dindoshi and Aarey Road police station. It is submitted that the applicant was granted parole in C.R. No. 511 of 2019 and during this period the present offence is committed. It is submitted that the applicant is a habitual offender. The mobile phone is recovered at the instance of the applicant.

5. The medical report reveals that the applicant is HIV-positive and is on regular medication. In the facts and circumstances of the present case, considering that the applicant is a woman, the investigation is complete and the charge-sheet has been filed and as she has been in custody for more than 2 years and 6 months coupled with the

medical condition she has, the applicant can be enlarged on bail. Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant- Saraswati Selvam Pille in connection with C.R. No.493 of 2021 registered with Dindoshi Police Station shall be released on bail on her furnishing P.R. Bond of Rs.25,000/- with one or more sureties in the like amount.
- (c) The applicant is permitted to furnish cash bail surety in the sum of Rs. 25,000/- for a period of 6 weeks in lieu of surety.
- (d) The applicant shall attend the Investigating Officer of Dindoshi police station twice a month, every first and third Monday of the month, between 11.00 a.m. and 1.00 p.m.
- (e) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence.
- (f) On being released on bail, the applicant shall furnish her contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.
- (g) The applicant shall not leave the jurisdiction of

Mumbai/Mumbai Suburban District without permission of the trial Court.

(h) The applicant shall attend the trial regularly.

6. The application is disposed of.

(M. S. KARNIK, J.)