

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 372 OF 2023

Surendra Parshuram Pillai ... Applicant

Versus

The State of Maharashtra and another ... Respondents

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Ms. Kalyani Mangave instructed by Dr. Rajendra Anbhule for the Applicant.

Ms. Veera Shinde, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 5 APRIL 2023

P.C. :-

1. This is an application filed under Section 438 of the Code of Criminal Procedure, 1973 for anticipatory bail.

2. The applicant is apprehending his arrest in Crime No. 338 of 2022 registered at Mundhwa Police Station, for the offences punishable under Sections 307, 354-A, 392, 323, 506(2), 504, 201 r/w. 34 of Indian Penal Code and Section 3 of the Maharashtra Media Persons and Media Institutions (Prevention of Violence and Damage or Loss to Property) Act, 2017.

3. I have heard the learned Counsel for the applicant and the learned APP for the State.

4. According to the prosecution, on the date of incident, which took place on 16 December 2022, the present applicant and other co-accused assaulted the complainant by some dangerous weapon and attempted to commit his murder on account of some previous dispute between them. There are also allegations of outraging the modesty of the mother of the complainant.

5. I have perused the F.I.R. The allegation of assault are not against the present applicant. The applicant is aged about 65 years. He has filed undertaking in relation to dispute between the parties. There are no other criminal antecedents. Considering the overall facts and circumstances of the case, I am inclined to grant anticipatory bail to the present applicant. In the result, the following order is passed :

- (i) Application is allowed.
- (ii) In the event of arrest of the applicant - Surendra Parshuram Pillai in Crime No. 338 of 2022 registered at Mundhwa Police Station, for the offences punishable under Sections 307, 354-A, 392, 323, 506(2), 504, 201 r/w. 34 of Indian Penal Code and Section 3 of the Maharashtra Media Persons and Media Institutions (Prevention of Violence and Damage or Loss to Property) Act, 2017, he shall be released on furnishing P.R. Bond in the sum of Rs.25,000/- with one or more sureties in the like amount.
- (iii) The applicant shall not tamper with the prosecution evidence.

(N.R. BORKAR, J.)