

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

**ANTICIPATORY BAIL APPLICATION NO.784 OF 2023
WITH
INTERIM APPLICATION NO.1161 OF 2023
IN
ANTICIPATORY BAIL APPLICATION NO.784 OF 2023**

Lakhan Annadurai Devendra ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr. Rahul Arote for the Applicant.

Mr. Dharmesh Jadhav with Ms Shalu Tanwar for the Intervenor.

Mr. S.V. Gavand, APP for Respondent-State.

Mr. Sanjay Pawar, PI, Juhu Police Station, present.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 29th MARCH, 2023.

P. C. :-

1. The Applicant herein apprehends his arrest in C.R. No.14 of 2023 registered with Juhu Police Station, Mumbai for the offences punishable under Sections 143,147, 323, 380, 427, 452 and 504 of the IPC.

2. By order dated 15/03/2023 this Court had granted interim relief to the Applicant with directions to report to the Investigating Officer. Learned APP states that the Applicant has reported to the

Investigating Officer and that he has been interrogated.

3. Prima facie the dispute appears to be of civil nature. The grievance of the Complainant is that the Applicant and the other co-accused trespassed into the garage, cut the meter wire and caused damage to the DVR and hard disk. The records prima facie reveals that the Applicant had already entered into a notarized agreement for sale dated 28/06/2020 in respect of the said garage. The Applicant as well as the Complainant claimed to be in possession of the subject garage.

4. Learned counsel for the Applicant states that the Complainant has already dispossessed the Applicant and that the Complainant is presently in possession of the subject garage. The dispute essentially appears to be of civil nature. Considering this aspect and the fact that the Applicant has been interrogated, in my considered view this would not be a fit case to justify custodial interrogation. Hence, the application is allowed on the following terms and conditions:-

(i) In the event of arrest of the Applicant in C.R.

No.14 of 2023 registered with Juhu Police Station, Mumbai, he shall be released on bail on furnishing bail bonds in the sum of

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Rs.25,000/- with one or two sureties to the like amount;

(ii) The Applicant shall report to the Investigating Officer as and when required by the Investigating Officer;

(iii) The Applicant shall not interfere with the Complainant and other witnesses and shall not tamper with the evidence or attempt to influence or contact the Complainant, witnesses or any person concerned with the case in any manner;

(iv) The Applicant shall keep the Investigating Officer informed of his current address and mobile contact numbers, and /or change of residence or mobile details, if any, from time to time.

5. The application stands disposed of. Interim application (s), if any, stand (s) disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)