



Diksha Rane

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

BAIL APPLICATION NO.2425/2023

SUJATA CHENNAKESHAVALLU RAMGIRI ..APPLICANT
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

**WITH
INTERIM APPLICATION NO.3420/2023
IN
BAIL APPLICATION NO.2425/2023**

RATNA VENAKATESH APPANI ..APPLICANT
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

Adv. Amit Singh for the applicant.
Ms. Rutuja Ambekar, APP for the State.
Adv. Atul Patil for the intervener (through V.C.)

CORAM : M. S. KARNIK, J.

DATE : DECEMBER 18, 2023.

P.C. :

1. Heard learned counsel for the applicant, learned APP for the State and learned counsel for the intervener through video conferencing.
2. This is an application for bail in respect of the offence punishable under Sections 420, 406, 506 read with 34 of the Indian Penal Code (hereafter 'IPC' for short) read with

Sections 3, 4 of the of the Maharashtra Protection of Interest of Depositors (In Financial Establishments) Act, 1999, ("MPID Act", for short) read with Sections 3, 4 of the Prize Chits and Money Circulation Schemes (Banning) Act, 1978, registered on 19/10/2021 vide C.R. No.258/2021 with Mundhwa Police Station, Pune.

3. In brief, it is the case of the prosecution that the applicant was running a chit fund. The informant paid an amount of Rs.60 lakhs in cash from time to time. There were other members of the chit fund operated by the applicant. The allegation is that the applicant has duped the members of the chit fund to the tune of Rs.10,65,48,800/-.

4. Learned APP and learned counsel for the interveners submitted that this amount which bonafide belongs to the members of the chit fund was invested by the applicant for personal gains and invested in building projects.

5. The applicant who is the accused no.2 is a woman. So far as the accused no.1 - Chennakeshavallu Chennaya Ramgiri is concerned, he is the husband of the present applicant. The accused no.1 had filed an application for bail in this Court. By an order dated 4/5/2022 this Court while

enlarging the accused no.1 had made some observations.

6. Learned counsel for the intervener submitted that the accused no.1 has not deposited a sum of Rs.25 lakhs as per the undertaking given. The application for cancellation of bail is filed in respect of the same which obviously will be taken to the logical conclusion.

7. Learned APP submitted that this Court while enlarging the accused no.1 on bail has made a categorical observation that the wife (present applicant) of the accused no.1 Chennakeshavallu Ramgiri appears to be the main accused in the present crime.

8. Learned counsel for the applicant submitted that the applicant will have no objection to the attachment and sale of her movable and immovable properties in accordance with law. Learned counsel on behalf of the applicant makes a statement on instructions that the applicant shall not dispose of any movable and/or immovable properties of her ownership or in her possession till the conclusion of the trial. The statements made are accepted as undertakings to this Court.

9. The applicant is a woman. The applicant was arrested

on 20/10/2021 and now is in custody for more than two years and two months with no possibility of the trial concluding any time soon as even the charge has not been framed. The maximum punishment for the offence alleged against the applicant is 7 years rigorous imprisonment. The investigation is complete and the charge-sheet has been filed. There are no criminal antecedents reported against the applicant. The applicant does not appear to be a flight risk.

10. It is alleged that the applicant through her acquaintance is indulging in acts of threatening the victims. In such view of the matter, in my opinion, though I am inclined to enlarge the applicant on bail but the same will be by imposing stringent conditions. Hence, the following order:-

ORDER

(a) The application is allowed.

(b) The applicant- Sujata Chennakeshavallu Ramgiri in connection with C.R. No.258/2021 registered with Mundhwa Police Station, Pune, shall be released on bail on her furnishing P.R. Bond of Rs.1,00,000/- with one or more local

sureties in the like amount.

(c) The applicant shall attend the Investigating Officer of Mundhwa Police Station, Pune, twice a month on the 1st and 3rd Sunday of every month between 11.00 am and 1.00 p.m. commencing from January 2024.

(d) 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.

(e) 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.

(f) The applicant shall not reside within the jurisdiction of the Pune City till further orders of the trial Court.

(g) Except for attending the trial and for the purpose of reporting to the Investigating Officer, the applicant shall not enter the Pune City after being released on bail, till the trial concludes.

(h) The applicant shall attend the trial regularly. The applicant shall co-operate with the trial Court and shall not seek unnecessary adjournments.

(i) The applicant shall surrender her passport, if any, to the investigating officer.

(j) If it is found that the applicant is threatening the witnesses or the victims and has committed any breach of any of the conditions, that may be a ground for the prosecution and/or the victims to apply for cancellation of this bail.

11. The application is disposed of.

12. The interim application is also disposed of.

(M. S. KARNIK, J.)