

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

BAIL APPLICATION NO. 3116 OF 2022

Vishnuprakash Nandkavu Varma ..Applicant
VS.
Senior Inspector of Police
Dadar Police Station and ors. ..Respondents

Mr. Swapnil Wagh a/w Ms. Vinita Dandekar, for the Applicant.
Mr. Omkar Nagwekar, for Respondent No.2.
Ms. A. A. Takalkar, APP for the State.
PSI-R.R. Ghadigaonkar, Dadar Police Station present.

CORAM : M. S. KARNIK, J.

DATE : FEBRUARY 27, 2023

P.C. :

- 1.** Heard learned counsel for the applicant and learned APP.
- 2.** This is an application for bail in respect of C.R.No. 371 of 2022 dated 23/05/2022 registered with Dadar Police Station for the offence punishable under sections 354D, 509 of the Indian Penal Code, 1860, sections 67A of Information and Technology Act and section 15(2) of the Protection of Children from Sexual Offences Act, 2012.

3. The complainant is the sister of the victim. The victim at the relevant time was 16 years of age. The victim was in love relationship with one Ravi. Ravi forwarded some obscene pictures of the victim to the present applicant. The applicant sent the videos to the complainant whereupon FIR came to be registered. The main accused Ravi has been enlarged on bail by order dated 16/01/2023. The applicant is now in custody for almost 9 month. The investigation is complete and the charge-sheet has been filed. The applicant though has forwarded the videos to the complainant, has not circulated the videos. There are 2 statements on record that the applicant had showed the said videos and the obscene pictures to the two witnesses. Considering that the applicant is in custody for more than 9 months and looking at the nature of the accusations, as the trial is likely to take a long time to conclude, the applicant can be released on bail. The mobile has already been seized. There are no criminal antecedents reported against the applicant. Hence, the following order.

ORDER

- (a) The application is allowed.
- (b) The applicant – Vishnuprakash Nandkavu Varma in connection with C.R.No. 371 of 2022 dated 23/05/2022 registered with Dadar Police Station shall be released on bail on furnishing P.R. bond in the sum of Rs.25,000/- with one or more sureties in the like amount.
- (c) The applicant shall not reside within the area of Dadar Police Station till the trial is over.
- (d) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant should not tamper with evidence.
- (e) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer of the concerned Police Station and shall keep him updated, if there is any change.
- (f) The applicant shall report to the investigating officer once in two months i.e. on first Monday of every alternate month between 10.00 a.m. and 12.00 noon starting from March

2023.

4. The application is disposed of.

(M. S. KARNIK, J.)