



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (BA) NO. 495 OF 2023

Chandrakala Muralidhar Sadanshive

.Vs.

The State of Maharashtra, Through PSO, PS Frezarpura, Amravati

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions Court's or Judge's orders.
and Registrar's Orders.

Ms Aastha Sharma, Advocate for the applicant
Mr Vinod Thakare, APP for the State

CORAM : G.A. SANAP, J.

DATE : OCTOBER 18, 2023

1. Heard.

2. Applicant/accused No.4 has made this application for bail in Crime bearing No. 606 of 2022 registered at Frezarpur Police Station, Amravati for the offences punishable under Sections 302 and 498-A read with Section 34 of the Indian Penal Code.

3. Learned Advocate for the applicant/accused No.4 submitted that the applicant was arrested on 11.09.2022. It is submitted that she is retired lady of 64 years old. It is submitted that there is no direct evidence. It is pointed out that the daughters of the deceased are staying with the informant separately and therefore, the

possibility of pressurizing them or tampering with the evidence is completely ruled out. Learned Advocate further submitted that the applicant/accused No.4 is ready to abide by the conditions that may be imposed by the Court.

4. Learned APP submitted that the neighbors have categorically stated about the quarrel between the accused and the deceased on the date of the incident. Learned APP submitted that false report was lodged by applicant/accused No. 4 with the police contending that the deceased might have consumed poison and died. Learned APP further submitted that considering the serious nature of the crime committed by the accused no case is made out for bail. Learned APP further submitted that the possibility of tampering with the prosecution evidence cannot be ruled out.

5. The deceased was Advocate by profession. The deceased was residing in the same property separately from accused No. 4. The husband of the deceased was no more. The deceased with her daughters was staying in the premises adjoining to the premises of accused No. 4. Accused No. 1 is the sister-in-law of the deceased.

Informant is the sister of the deceased. In her report, she has stated that accused Nos. 1 and 4 and the children of accused No. 1 used to quarrel with the deceased. The death was due to head injury. The weapons namely the iron rod and stick was recovered at the instance of accused No.1. There was no recovery at the instance of accused No. 4. The daughters of the deceased are residing with the informant separately.

6. In my view, considering the nature of the crime and the fact that children of deceased are residing separately, the apprehension put forth by the learned APP may not be well founded. The trial has not yet started despite filing of the charge sheet. Considering the nature of the crime, the age of accused No.4 and the evidence relied upon by the prosecution further detention of accused No. 4 may not be warranted. Learned Advocate for the applicant/accused No. 4 submitted that if the Court is inclined to grant bail the Court may impose suitable conditions. In the facts and circumstances, I am inclined to grant application. Accordingly, I pass the following order:

- i) The Criminal application is allowed.

ii) Applicant-Chandrakala Muralidhar Sadanshive be released on bail in Crime No.606 of 2022, registered with Police Station Frezarpura, District: Amravati for the offences punishable under Sections 302 and 498-A read with Section 34 of the Indian Penal Code, on her furnishing P.R. Bond in the sum of Rs.50,000/- (Rupees Fifty Thousand only) with solvent surety in the like amount.

iii] The applicant shall not in any way tamper with the prosecution evidence.

iv] The applicant shall not pressurize or threaten the prosecution witnesses.

v] The applicant shall co-operate the investigation officer.

7. The Criminal Application stands **disposed of** accordingly.

(G. A. SANAP, J.)