

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

**ANTICIPATORY BAIL APPLICATION NO. 504 OF 2024**

Madhuri Ramesh Pawar .... Applicant

Versus

The State of Maharashtra .... Respondent

YUGANDHARA  
SHARAD  
PATIL

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Mr. Raviraj S. Gamare a/w Shubhangi Chorge for the applicant.  
Mr. C.D. Mali, APP for the State/Respondent.

**CORAM : SARANG V. KOTWAL, J.  
DATE : 27<sup>th</sup> FEBRUARY, 2024**

**P.C. :**

1. The Applicant is seeking anticipatory bail in connection with C.R. No. 20 of 2024 registered at Hill Line Police Station, Thane, on 12/01/2024 under sections 323, 506 of the Indian Penal Code and under Section 75 of the Juvenile Justice (Care and Protection of Children) Act, 2015.

2. Heard Mr. Gamare, learned counsel for the Applicant and Mr. Mali, learned APP for the Respondent-State.

3. The FIR is lodged by Shradha Narkar. She was head of the Thane District Centre for women and child development. On

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10/01/2024, their office received a letter regarding the incident in the special home for girls run by the Government at Ulhasnagar. The applicant was the senior care taker. The co-accused Rajshree Jadhav was junior care taker. It was mentioned in the letter that both these accused used to ill-treat the girls and used to beat them. Thereafter, one of the officers of the informant received a video clip on his mobile phone showing that the Applicant was beating one of the girls 'R'. The other allegations are that some of the girls were forced to press legs of the co-accused Rajshree Jadhav. On this basis, the FIR was lodged.

4. Learned counsel for the Applicant submitted that the concerned 'R' broke the Applicant's mangalsutra and there was a minor incident with the applicant. In fact, that girl had assaulted the Applicant. He submitted that the Applicant's custodial interrogation is not necessary.

5. Learned APP produced investigation papers before me. He submitted that the offence under section 75 of the the Juvenile Justice (Care and Protection of Children) Act, 2015, is made out.

6. I have considered these submissions and I have perused the investigation papers. The investigation papers contain statements of police constable Derekar who had shot that video in which it is seen that the Applicant was slapping the said 'R'. However, this witness has stated that there was a fight between two groups of girls. They were abusing each other. This witness tried to pacify them but they were not being controlled. The Applicant was trying to separate them. During that incident the Applicant slapped the said girl 'R'. This incident had occurred in August 2023.

7. Learned APP, on instructions of the IO stated that the video was in respect of the incident dated 18/08/2023 and not regarding the incident in December 2023.

8. Thus from investigation papers it appears that the main intention of the Applicant was to separate the girls and stop them from fighting. Learned APP produced the statements of girls recorded under section 164 of Cr.PC. In the statement of R she has stated that on 16/12/2023 there was quarrel between herself and

other girls. At that time, the applicant had tried to intervene and had beaten her. From the allegations, it is clear that the Applicant on her own had not treated the girls with cruelty but while separating the fight between the two groups, she had slapped one of the girls. From the nature of the incident described by the witnesses, it appears that the main intention was to stop the girls from fighting with each other.

9. In this view of the matter, the Applicant's custodial interrogation is not necessary. She can be protected under section 438 of Cr. P.C. Hence the following order.

#### **ORDER**

- (i) In the event of her arrest in connection with C.R. No. 20 of 2024 registered at Hill Line Police Station, Thane, the Applicant is directed to be released on bail on her furnishing PR bond in the sum of Rs. 30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.
- (ii) The Application stands disposed of accordingly.

**(SARANG V. KOTWAL, J.)**