

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

ANTICIPATORY BAIL APPLICATION NO. 882 OF 2024

Raja Murgan Mupannar ..Applicant
Versus
The State of Maharashtra ..Respondent

Mr. Rahul Arote for Applicant. _____
Mr. C. D. Mali, APP for State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 3 APRIL 2024

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No. 686 of 2023, registered at Panvel city Police Station, Navi Mumbai, on 13.12.2023, under sections 377, 406, 498-A and 504 of the Indian Penal Code.
2. Heard Mr. Rahul Arote, learned counsel for the applicant and Mr. Mali, learned APP for the State.
3. The F.I.R. is lodged by the applicant's wife. She has stated that, she got married with the applicant on 04.12.2022. She started residing with the applicant, his brother and his mother. Initially, for a few days the co-habitation was peaceful. After that

the applicant's mother started harassing her. There are allegations that the informant herself purchased a Refrigerator on installments, but the applicant and his mother wanted her to make full payment. There are allegations that the applicant's mother did not give proper food to her. There are many allegations against the applicant's mother. As far as the applicant is concerned, her grievance was that the applicant was consuming liquor in a large quantity and used to keep unnatural physical relations. There are allegations that the applicant had shot a video of their physical relations. The F.I.R. mentions some petty quarrels between the applicant and the informant. The applicant went to attend his job in the Merchant Navy in April 2023. After that the applicant's mother and brother changed their residence. The informant started residing with her parents. The applicant was not having proper conversation with the informant on telephone or on social networking site. These are the general allegations in the F.I.R.

4. Learned counsel for the applicant submitted that the marriage took place in December 2022 and the applicant left for his job in April 2023. After that, the applicant did not meet the

informant till the F.I.R. is lodged. She herself has stated that, for initial few days the co-habitation was peaceful. There are no allegations which would attract the provisions of Section 498-A and 406 of the I.P.C. As far as, Section 377 of the I.P.C. is concerned, these allegations are not true. In any case, that is the matter between the applicant and the informant, and for that custodial interrogation of the applicant is not necessary. Learned counsel submitted that the applicant's mother and brother are already granted anticipatory bail. He claims parity.

5. Learned APP submitted that, there are allegations in the F.I.R. that the applicant had shot a video of their physical relations. Therefore, the allegations are serious.

6. I have considered these submissions. As far as the allegations in the F.I.R. are concerned, as rightly submitted by the learned counsel, they are mainly against the applicant's mother and brother. The only different allegations against the applicant are U/s.377 of the I.P.C. However, the informant had not made these allegations till they were together. The other allegations in

the F.I.R. are quite vague against the present applicant. In connection with these allegations, the applicant's custodial interrogation is not necessary. There was a co-habitation of hardly five months. In this view of the matter, it is sufficient if the applicant co-operates with the investigation.

7. Hence, the following order :

ORDER

- i) In the event of his arrest in connection with C.R.No. 686 of 2023, registered at Panvel city Police Station, Navi Mumbai, the applicant is directed to be released on bail on his executing P. R. bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.
- ii) The Applicant shall attend the concerned Police Station as and when called; unless prevented by a reasonable cause, and shall cooperate with the investigation.
- iii) The Application is disposed of.

(SARANG V. KOTWAL, J.)