

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

ANTICIPATORY BAIL APPLICATION NO.1267 OF 2024

Durai S. Thevar	 Applicant
Versus	
The State of Maharashtra	 Respondent

Mr. Niranjan Kondyala, Advocate i/b. Jigar Agarwal for the Applicant.

Mr. C.D. Mali, APP for the Respondent-State.

CORAM : SARANG V. KOTWAL, J.

DATE : 08th MAY, 2024

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.292/2024 registered at Vadala T.T. Police Station, Mumbai on 28.4.2024 under Sections 323, 324, 326, 504 read with 34 of IPC. Learned APP submitted that subsequently Section 326 of IPC is dropped.

2. Heard Mr. Niranjan Kondyala, learned counsel for the Applicant and Mr. C.D. Mali, learned APP for the Respondent-State.

3. The FIR is lodged by one Murugan Mayandi. He has described that on 26.4.2024 because of the previous enmity between the neighbours, the Applicant's family including the Applicant assaulted him with knife, rod and cricket bat. It is alleged that the Applicant had assaulted him with a bat. The other blows are attributed to other accused.

4. Learned counsel for the Applicant submitted that the allegations are not true. No grievous injury is caused to the informant. The Applicant's custodial interrogation is not necessary. The allegations are exaggerated because of the previous enmity.

5. Learned APP produced the investigation papers before me.

6. I have considered these submissions and in particular I have perused the injury certificate. The informant has suffered the following four injuries :

- (i) contused lacerated wound of the size 1 x 0.5 x 0.5 cm on right parietal region;
- (ii) friction abrasion of the size 3 x 3 cm on left knee;
- (iii) contused lacerated wound of the size 4 x 0.5 x 0.5 cm on right elbow; and

- (iv) contused lacerated wound of the size 4 x 0.5 x 0.5 cm on right nasal bridge.

All those injuries are described as simple injuries.

7. Thus, it appears that the incident is a result of petty quarrel and no serious injury is caused to the informant. In this view of the matter, custodial interrogation of the Applicant is not necessary. He can be protected under Section 438 of Cr.P.C.

8. Hence, the following order :

ORDER

- (i) In the event of his arrest in connection with C.R.No.292/2024 registered at Vadala T.T. Police Station, Mumbai, the Applicant is directed to be released on bail on his furnishing PR bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.
- (ii) Anticipatory Bail Application stands disposed of accordingly.

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by
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PRAKASHRAO
DESHMANE
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(SARANG V. KOTWAL, J.)

Deshmane (PS)