



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO.342 OF 2024

Madhukar Shankarrao Sawale

Vs.

State of Maharashtra, Through Police Station Officer, Police Station,
Dharni, District Amravati

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. N. S. Warulkar, Advocate for applicant.

Mr. N. B. Jawade, APP for respondent/State.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 04/07/2024

1. Apprehending the arrest at the hands of Police in connection with Crime No.156/2024, registered with Dharni Police Station, District Amravati for the offences punishable under Sections 386 and 506 read with Section 34 of the Indian Penal Code, the applicant approached this Court for grant of pre-arrest bail.

2. The accusation against the present applicant is on the basis of a report lodged by Pradip Abasaheb Shewale who is serving as a Tahsildar. As per his allegations, the co-accused has threatened him that he will publish the news in the newspaper, and defame him and thereafter, he received a message from the co-accused Sanjay Hiranman Aathavle who demanded the extortion amount from him and also threatened to kill him. On the basis of

the said report, police have registered the crime against the present applicant.

3. As far as the present applicant is concerned, the general allegation is made against him that the co-accused has demanded the extortion amount from him, the present applicant was also present along with him. This Court has already protected the present applicant by granting ad-interim protection, considering the role attributed to him.

4. Learned Counsel for the applicant submitted that as far as the present applicant is concerned, there is no direct material to connect with the alleged offence. Merely because he was associated with the co-accused, he is implicated as an accused. His custodial interrogation is not required, in view of that, interim protection granted to the present applicant deserves to be confirmed.

5. Learned APP strongly opposed the said application and submitted that the present applicant and other co-accused not only threatened the public servant, who was discharging his duty but also demanded the extortion amount. In view of that, the application deserves to be rejected.

6. After hearing the learned Counsel for the applicant and learned APP for the State, perused the investigation papers, from which it reveals that

during the investigation the co-accused appears to have sent a message to the informant asking extortion amount and also threatening him. As far as the present applicant is concerned, general allegation is made against him, considering the allegation against him, his custodial interrogation is not required, in view of that, the application deserves to be allowed. Accordingly, I proceed to pass following order:

ORDER

- (i) The application is allowed.
- (ii) In the event of arrest, the applicant namely **Madhukar Shankarrao Sawale** shall be released on anticipatory bail in connection with Crime No.156/2024, registered with Dharni Police Station, District Amravati for the offences punishable under Sections 386 and 506 read with Section 34 of the Indian Penal Code, on executing PR bond in the sum of Rs.25,000/- with one solvent surety in the like amount.
- (iii) The applicant shall attend the concerned Police Station as and when required for the investigation purpose and shall cooperate with the investigating agency.
- (iv) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.

7. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)