

Harish

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

ANTICIPATORY BAIL APPLICATION NO.3320 OF 2024

Devanand Shankar Dhulubulu @ DurguleApplicant

Vs.

The State Of MaharashtraRespondent

Adv. Aniket Nikam a/w Pramod Sutar, Atharva R.B. & Seema Sutar i/b Sumit Patil for the Applicant.

Mr. A. S. Shalgaonkar, APP for the Respondent-State.

Ms. Kanchan Pawar for Respondent No. 2.

CORAM : SHIVKUMAR DIGE, J.

DATE : 11th SEPTEMBER 2025

P.C.:

1. By this application the applicant is apprehending arrest in crime no.90 of 2024 registered with Nate Police Station Dist-Ratnagiri for offences punishable under Sections 64, 64(2)(i), 64(2)(m) and 65(1) of Bharatiya Nyaya Sanhita, 2023 and Sections 3, 4, 6 and 8 of Protection of Children from Sexual Offences Act, 2012.

2. It is prosecution's case that the applicant and co-accused sexually assaulted the daughter of first informant who was minor. It is alleged that prior to two months of filing of FIR, on

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one day, the applicant sexually assaulted the daughter of first informant thrice in a day.

3. It is the contention of learned counsel for the applicant that chargesheet has been filed against the applicant and charge has been framed against the applicant and co-accused. Hence, Custodial interrogation of the applicant is not required and requested to allow the application.

4. It is contention of learned APP and learned counsel for respondent no. 2 that the applicant and co-accused was sexually assaulted the daughter of the first informant. The victim has categorically stated about act of the applicant. Considering the allegations against the applicant, her custodial interrogation is required and requested to reject the application.

5. I have heard all the learned counsel, perused the FIR and documents produced on record.

6. Admittedly, investigation is completed and chargesheet has been filed. Charge has also been framed against applicant and co-accused. There is a delay of two months in lodging the FIR. Considering the facts that charge is framed against the applicant his custodial interrogation is not required and I pass

following order :

ORDER

I. In the event of arrest, applicant be enlarged on bail in C.R. No.90 of 2024 registered with Nate Police Station, Dist. Ratnagiri on furnishing P. R. Bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.

II. The applicant shall attend the court dates regularly.

III. The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

IV. Application is disposed of in above terms.

V. All concerned to act on authenticated copy of this order.

[SHIVKUMAR DIGE, J.]