

TILAK

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 6684 Of 2024

Motchamary Anthony Chetty .. Petitioner
Versus
State of Maharashtra .. Respondent

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Mr. Deep Thakkar for the Petitioner.
Mr. S.R. Agarkar, APP for the Respondent-State.
Mr. Tushar Sukhdeve, PSI, Malad Police Station.

CORAM: BHARATI DANGRE AND
SHYAM C. CHANDAK, JJ.
DATE : 18th NOVEMBER, 2025

P.C:-

1 Mr.Agarkar, learned APP has placed on record a report dated 18/11/2025 under the signature of the Police Sub Inspector, Malad Police Station, stating steps that have been taken to trace the girl. The report on the basis of the material collected is indicative of the fact that the daughter of the petitioner has once again eloped with the accused i.e. respondent no.2, and some statements are recorded by the Investigating Officer which is indicative of the fact that they have performed the marriage.

2 On a the query being raised as to why the accused is absconding, as his condition of bail clearly stipulated that he

shall report to the Malad Police Station once in three months, but it is informed that he has jumped the condition of bail. The Officer present before us, Shri Tushar Sukhdev Sub Inspector of Police, Malad police station, however, plead ignorance about what steps have been taken by Malad Police Station, when the accused has not reported to the police station, as directed.

2 We find this approach a little strange as if one accused is involved in both cases, and if the Police Department works as a Department, we see no hesitancy in he making inquiry with the Investigating Officer of C.R.No. 0904/2024 registered with Malad Police Station, wherein the respondent no.2 is arraigned as accused, so that the anxiety of the petitioner to trace her minor daughter can be addressed.

It may be true that there is a possibility that she might have married the accused, but there is also a possibility that the marriage has not taken place and the girl is not with him, and we want to rule out this angle, so that as a mother, we can satisfy the petitioner's grievance by pointing out the whereabouts of her daughter.

Let necessary instructions, in that regard, be obtained and placed before us.

Re-notify to 1/12/2025.

(SHYAM C. CHANDAK, J)

(BHARATI DANGRE, J.)