

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL APPEAL NO. 1235 OF 2024

1 Sandesh Ramesh Madane
2 Vinayak Krushna Madane Appellants

Versus

The Senior Police Inspector and Ors. Respondents

Mr. Mateen Shaikh a/w. S. V. Kshirsagar, Mr. Umair Ahmad and Ms.Muskan, Advocates for the Appellants.
Mr. Kiran C. Shinde, APP for the State.
Mr. Ankur Pahade, Advocate for Respondent No.2.
PSI – M.E.Patil, Phaltan Rural Police Station, Satara present.

CORAM : SHIVKUMAR DIGE, J.
DATE : 13th MARCH, 2025.

PC. :

1. By this appeal, appellants are apprehending arrest in C.R.No. 1009 of 2024 registered with Phaltan Police Station, Satara for the offence punishable under Sections 189(2), 191(2), 115(2), 352, 351(2) of the Bharatiya Nyaya Sanhita, 2023 (for short “BNS”) and under Sections 3(1)(r), 3(1)(s), 3(2)(va) and 6 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. It is prosecution’s case that on 13.10.2024, the community member of the first informant had inter-caste marriage with village girl, on that account villagers were angry on first informant and his community

member.

3. It is alleged that on 12.10.2024, at around 9:00 p.m. and on 13.10.2024 at around 8:00 a.m. the appellants and co-accused abused the first informant on his caste and assaulted him with fist and kick blows.

4. It is contention of learned counsel for the appellants that appellants have been falsely implicated in this case. There are no specific allegations against the appellants that they abused the first informant on his caste. There are common allegations. The appellants are on interim relief for three months. They have cooperated in the investigation, hence requested to allow the appeal.

5. It is contention of learned APP along with learned counsel for respondent No.2 that the appellants and co-accused have assaulted the first informant with fist and kick blows and abused him on his caste on two occasions. Considering the allegations against the appellants their custodial interrogation is required and requested to dismiss the appeal.

6. I have heard all learned counsel. Perused FIR and documents produced on record. The allegations against the appellants are that they along with co-accused abused the first informant on his caste and assaulted him with fist and kick blows. It appears from FIR that allegations of abuse on caste are made against all. It is common allegations. There is no specific allegations against the appellants that they abused the first

informant on his caste. The appellants are on interim relief for three months. They have cooperated in the investigation hence their custodial interrogation is not required and I pass following order.

ORDER

- i. The Order dated 27.11.2024 passed by this Court (Coram: Sandeep V. Marne, J.) is hereby confirmed.
- ii. The appellants shall not contact the victim and prosecution witnesses.
- iii. The appellants shall attend the police station as and when required.

(SHIVKUMAR DIGE, J.)

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