

Order Below Ex.1.

1] The applicant has moved this court under Section 439 of The Code of Criminal Procedure of the offences punishable under Section 12 of the protection of Children from Sexual Offences Act, 2012 and under Sections, 354 354(D) of the Indian Penal Code. It is alleged that on 10-01-2016 and before two months back when the victim girl aged 15 years was returning from her job accused followed him and asked to marry him. When she refused, applicant caught hold of her hand and outraged her modesty. F.I.R thus came to be lodged against him.

2] It is contended that the applicant has been falsely implicated in this case. No prima facie case is made out against this applicant. There are love affairs between victim girl and applicant. There are no bad antecedents against the applicant. He is permanent resident of Pune, having roots over there. Hence, this is the application.

3] The application is opposed by the State by filing say . It is contended that The investigation is yet to complete. It is submitted that if the applicant is released on bail, there is possibility of repeated crime and tampering with the witnesses. The offence is serious one. Investigation is yet to complete. The rejection is thus prayed for.

4] Heard the Ld. A.P.P for prosecution and the learned counsel for applicant. The offence is serious but, the personal custody of applicant is not required for the purpose of

investigation. Offences are bailable. Moreover, the applicant is the permanent resident of place mentioned having roots over there. With this, I proceed to pass the following order.

ORDER

- 1] The application is allowed.
- 2] The applicant Ajinath Laxmanh Gaikwad be released on his executing P.R. bond of Rs. 15,000/-, with one surety in the like amount.
- 3] The applicant shall supply documentary evidence of his permanent address and shall file affidavit in support thereof.
- 4] The applicant shall not tamper with the prosecution witnesses in any manner and shall co-operate the investigating agency as and when required.
- 5] The applicant shall not meet the victim girl till the trial is over.

Pune.
Dated 22-01-2016


(Mangala J. Dhote)
Additional Sessions Judge, Pune.