

ORDER BELOW EXH.1

1] Perused application and say. Heard Advocate for applicant and APP for the State.

2] This is first bail application filed under section 439 of Cr.P.C. by applicant in respect of his arrest in C.R. no. 312/18 registered at Vishrantwadi Police Station for the offence punishable under section 354,354D,,506 of the Indian Penal Code and under section 11(d),12 of the Protection of Children from Sexual Offences Act, 2012. It is alleged that victim lodged report stating that applicant resides near her house and there was friendship between them. Since March-2018 applicant proposed her, she refused and was not talking with him. Since 10.05.2018 he followed her, harassed her. So they changed the address. In spite of it applicant followed her. On 01.10.2018 applicant followed her after her tuition classes at 7.30 p.m., hold her hand and proposed her, threatened to break her leg, he thereby outraged her modesty.

3] According to applicant he is falsely implicated in this matter. There is delay in lodging report. Applicant is only 18 years old and doing labour work. He is permanently residing at Yerawada, Pune. He has no criminal antecedents. He is ready to abide the conditions. Hence, he prayed to release him on bail.

4] APP and I.O. objected this application on the ground that investigation is in progress. Statement of victim under section 164 of Cr.P.C. is yet not recorded. Applicant will pressurize victim and witnesses. There is possibility of tampering prosecution evidence. So, they prayed to reject the application.

5] Allegations against the applicant are serious. Applicant is interrogated. Considering allegations and nature of offence investigation is practically over. Personal custody of applicant is not required. Applicant is resident of Yerawada, Pune. He is only 18 years old and pursuing his career. Applicant has no criminal antecedents. No purpose would serve by keeping the applicant behind bar for unknown period. Due to all above reasons application deserves to be allowed with following order -

ORDER

- 1] The application is allowed.
- 2] The applicant Sai Nitin Metellu be released on executing P.R. bond of Rs.25,000/- with one or two solvent sureties in the like amount.
- 3] The applicant shall not tamper the prosecution witnesses in any manner.
- 4] The applicant shall attend Vishrantwadi Police Station on every Monday between 11.00 a.m. to 2.00 p.m. till the charge-sheet is filed.
- 5] The applicant shall not meet the victim and threat and pressurize the victim and shall not repeat the offence.
- 6] The applicant shall co-operate investigating machinery as and when required.
- 7] Prior to furnishing surety, the applicant shall submit his address proof, mobile number and inform about the change in address and mobile number.

Pune.
Date – 25.10.2018.

(R.V.Adone)
Addl.Sessions Judge, Pune.

“ I affirm that the contents of the P.D.F. File Judgment are same word for word as per original judgment.

Name of Steno	- S.V.Thakar,
Court Name	- Smt. R.V.Adone, Addl.Sessions Judge,Pune.
Date of Order	- 25.10.2818
Order signed by P.O.	- 25.10.2018
Order uploaded on	- 26.10.2018