

ORDER BELOW EXH.1

1] The applicant Tushar Shankar Avare was arrested on 22.05.2024 in connection with C.R. No. 312/2024 registered in Yerawada police station under Section 354-D and 448 of the Indian Penal Code and under Section 12 of the Protection of Children from Sexual Offences Act, 2012. He has filed this application for bail under Section 439 of the Cr.P.C. He contends that this is his first bail application and no other bail application is pending in any other Court.

2] The say of prosecution was called. The investigating officer has not filed say and the Ld. A.P.P. prays for some further time for procuring say and arguing this bail application. The Ld. Advocate for the accused brings to the notice of the Court that the offences registered against the accused are bailable. In so far as offence under POCSO Act is concerned, it is of stalking.

3] Considering the fact that the offences are bailable, I deemed it not appropriate to wait for say of the investigating officer and granting adjournment for the same. The Ld. A.P.P. is finding difficulty to argue this bail application in absence of necessary papers. Since the offences are bailable, the accused is entitled to seek bail as of right. Hence, there is no alternative but to decide this bail application forthwith. The accused would be entitled to be released on bail with certain conditions to ensure proper investigation. Hence, the order -

ORDER

- 1] The application is allowed.
- 2] The applicant **Tushar Shankar Avare**, who was arrested on 22.05.2024 in connection with C.R. no. 312/2024 registered in Yerawada police station under Section 354-D and 448 of the Indian Penal Code and under Section 12 of the Protection of Children from Sexual Offences Act, 2012, be released on bail on his furnishing P.R. bond in the sum of Rs.30,000/- with surety of the like amount on following conditions -
 - a] The applicant shall attend Yerawada police station as and when directed by the investigating officer in writing till submission of Charge-sheet.
 - b] The applicant shall not tamper with the prosecution evidence in any manner. He shall not pressurize the victim, informant and family members and witnesses and shall not indulge in any offence.
 - c] The applicant shall not contact with the victim and family members, in any manner.
 - d] The applicant shall submit his address proof and phone details as well as phone details of two close relatives.
 - e] Violation of any of these conditions would entail a ground for cancellation of bail.
 - f] Bail application stands disposed of accordingly.

Pune.
Date – 19.06.2024.

(S.R. Salunkhe)
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	- Sau.S.V.Thakar (Steno G-1)
Court Name	- S. R. Salunkhe, Addl. Sessions Judge, Pune.
Date of Order	- 19.06.2024
Order dictated on	- 19.06.2024
Order transcribed on	- 19.06.2024
Order signed by P.O.	- 19.06.2024
Uploaded on	- 20.06.2024