

CRI.B.A. No.2283/2016**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 11,18 of the protection of Children from Sexual Offences Act,2012 and under Sections 354(D),354,363,341,323,504 and 506 of the Indian Penal Code. It is alleged that on 12.06.2016 at about 1.00 p.m. the complainant was in search of her missing note of Rs.500/- at that time, the applicant and another unknown person came in the white Indica Car and obstructed her. The applicant shamefully hold the hand of complainant and forcefully got the complainant in the car and take away near Makoda Tekadi, near Village Aadhale Khurd. The applicant made a proposal to complainant to marry with him. The complainant refused to accept the said proposal and due to anger the accused beat the complainant with hand. At that time the applicant threatened the complainant that if the complainant told anybody about the incidence, he would kill her father and mother. FIR thus came to be lodged.

2] It is contended that the applicant has been falsely implicated in this case. There is no direct or indirect evidence against the 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 at Exh.4. It is contended that the offence is serious. 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 Tushar Sopan Yewale 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.
Date – 02.07.2016

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

Date of order - 02.07.2016

Order signed by P.O. - 02.07.2016

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