

**ORDER BELOW EXH.1**

1] This is an application for bail filed by the applicant u/s. 439 of Code of Criminal Procedure in connection with CR No. 47/2024 registered with Kondhawa police station for the offences punishable under Sections 354-D of the Indian Penal Code and under Section 12 of the Protection of Children from Sexual Offences Act. [Hereinafter the Indian Penal Code referred to as “IPC” and the Protection of Children from Sexual Offences Act referred to as “POCSO Act” for the sake of brevity.]

2] The prosecution has filed say and opposed this bail application.

3] Heard Ld. Advocate for the applicant and Spl.P.P. for the State. Perused application, say filed by the prosecution and police papers.

4] The victim aged 16 years old has lodged a report against the applicant on 14.01.2024. On 14.01.2024 at around 5.45 p.m., near Royal Heritage Mall, NIBM Road, Kondhawa, Pune, the applicant who was driving his vehicle bearing no. MH-14-CR-0708 followed the victim and made remarks, “You are beautiful I like you” and thereafter, he again asked the victim by saying, “May I know your name” and the boy who was rear seat and the present applicant stalking the victim and her friend till Kondhawa.

5] It appears prima facie that the allegations are in respect of

sexual harassment and outrage of the modesty. Considering the nature of allegations and punishment provided for the alleged offence, further detention of the applicant behind the bars is not necessary, as the applicant arrested on 15.01.2024. Therefore, it is just to release the applicant on bail, by imposing stringent conditions upon him. With this, I proceed to pass the following order:

**ORDER**

- 1] The application is allowed.
- 2] The applicant **Phelix Samson Bhalerao** shall be released on bail upon furnishing P.R. bond in the sum of Rs.50,000/- with surety in the like amount.
- 3] The applicant shall attend concerned police station on every Monday and Friday between 10.00 am to 11.00 am till filing of the charge-sheet.
- 4] 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.
- 5] The applicant shall not contact with the victim and family members, in any manner.
- 6] The applicant shall not confront to the victim and not to enter in the area where the victim is residing.
- 7] The applicant shall submit his address proof and phone details as well as phone details of two close relatives to Investigating Officer.
- 8] The applicant shall not leave India without prior permission of the Investigating Officer.
- 9] Violation of any of the conditions imposed, shall amount the cancellation of bail forthwith.
- 10] Bail application stands disposed of accordingly.

Pune.  
Date – 08.02.2024.

(S.P. Ponkshe)  
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.

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| Name of Steno        | - Sau.S.V.Thakar (Steno G-1)                         |
| Court Name           | - Smt. S. P. Ponkshe, Addl. Sessions<br>Judge, Pune. |
| Date of Order        | - 08.02.2024                                         |
| Order dictated on    | - 08.02.2024                                         |
| Order transcribed on | - 08.02.2024                                         |
| Order signed by P.O. | - 08.02.2024                                         |
| Uploaded on          | - 09.02.2024                                         |