

GJVD200001992026



Received on : 03.03.2026  
Registered on : 03.03.2026  
Decided on : 06.03.2026  
Duration : 00 00 03  
Years Months Days

**IN THE COURT OF 9TH ADDL. SESSIONS JUDGE**  
**VADODARA AT SAVLI**

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**CRIMINAL MISC. APPLICATION NO.87 OF 2026**

**Ex.**

- APPLICANT:**
1. **DEVA MUNNA GULABSINH NAIDU**  
Age: 27 Occupation : Labour work  
R/o. VAKIPADA, TA.NAVAPURA,  
POST KARANJIKHUD,  
DIST-NANDURBAR  
(MAHARASHTRA)
  2. **KANNA RAJARAM TUTTINAYKAR**  
Age: 30 Occupation : Labour work  
R/o. HOUSE NO.28, STREET NO.4,  
GANDHINAGAR AREA,  
TA. TIRAVARAMBOR  
DIST. TIRUCHIRAPALLI,  
TAMIL NADU.

***VERSUS***

**OPPONENT:     The State of Gujarat**

**Appearance:**

Mr.M.H.Shaikh : Learned Advocate for the applicants-accused.

Mr.C.G.Patel : Learned APP for the State.

**Application seeking Regular Bail**  
**under Section 483 of the BNSS**

**-:: O R D E R ::-**

1. By way of this application preferred under Section 483 of Bharatiya Nagrik Suraksha Sanhita (for short “BNSS”), the present applicants-accused have prayed to enlarge them on regular bail in connection with the F.I.R. bearing C.R.No.11197047260098/2026 registered at Savli Police Station, Vadodara Rural, for the offences punishable under Sections 303(2), 54 of BNS.
2. On service of notice, Mr.C.G.Patel, learned Assistant Public Prosecutor, appeared for the State and filed affidavit of the Investigating Officer at Exhibit 4.
3. Heard learned advocate for the applicants-accused as well as learned APP for the State.
4. Learned advocate appearing for the applicants-accused has reiterated the grounds stated in the application and prayed to release the present applicants-accused on bail. It is further submitted that the applicants-accused are innocent and not involved in the offence but falsely implicated in the offence on the basis of suspicion. It is further submitted that the complaint has been filed late by 4 days. It is further submitted that the applicants-accused were remanded to police custody after their arrest and so, there is no need of the applicants-accused for

investigation purpose. It is further submitted that the applicants-accused are residing at the address mentioned in cause title and therefore, there is no possibility of their fleeing. It is further submitted that the applicants-accused have responsibility of their families and if the applicants-accused are not released on bail, their family will have to suffer hardship. It is further submitted that the applicants-accused are ready to abide by conditions that may be imposed by the Court and therefore, he has requested this Court to enlarge the present applicants-accused on regular bail on appropriate conditions.

5. Referring to the affidavit of I.O., the learned APP Mr.C.G.Patel for the State, has submitted that looking to the nature of the offence and the involvement of the applicants-accused in the offence, they should not be released on bail. He has further submitted that as there is prima facie case against the applicants-accused and the investigation is going on, the applicants-accused should not be released on bail. He has further submitted that the applicants-accused have criminal antecedents. He has further submitted that if the applicants-accused are released on bail, they may not remain present during the trial and the trial may be delayed unnecessarily. Hence, the learned APP has requested to reject the present application.

6. Upon hearing learned advocates for the rival sides and going through the record, it is apparent that after their arrest, the present applicants-accused were remanded to police custody and therefore, no further recovery or discovery from the present applicants-accused appears to be pending. Further, the offences alleged against the applicant-accused are triable by the Court of

learned Magistrate. If the applicant-accused is not released on bail, there is likelihood of pretrial conviction. An apprehension is shown by learned APP that if the applicants-accused are released on bail, they may not remain present during the trial and may flee from justice but mere apprehension is not sufficient to deny the bail and that apprehension can be taken care of by imposing suitable conditions. Therefore, I am of the view that this is the fit case to exercise discretion in favour of the applicants-accused and hence, I pass the following order in the interest of justice.

**:: ORDER ::**

1. The present Criminal Misc. Application is allowed.
2. The applicants-accused namely **(1) DEVA MUNNA GULABSINH NAIDU (2) KANNA RAJARAM TUTINAYKAR** are hereby ordered to be released on regular bail in connection with the F.I.R. bearing C.R.No.11197047260098/2026 registered at Savli Police Station, Vadodara Rural, for the offences punishable under Sections 303(2), 54 of BNS, on depositing Rs.10,000/- (Rupees Ten Thousand Only) each towards cash surety on executing personal bond of **Rs.15,000/- (Rupees Fifteen Thousand Only)** each with surety of the like amount subject to the following conditions that they shall;
  - (a) not directly or indirectly make any inducement, give threat or promises to any person acquainted with the fact of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer or tamper with the evidence;
  - (b) maintain law and order and not indulge in any criminal activities of similar or other nature;

- (c) not leave India without prior permission of the Court;
  - (d) surrender their passport, if any, within a week before the trial Court. If they do not possess passport, they shall file an affidavit to that effect;
  - (e) mark their presence before the concerned Police Station on **1st Friday** of every English Calendar month till six months;
  - (f) furnish the complete documentary proof of latest & permanent address of their residence to the Investigating Officer and also to the Court and shall not change the residence without prior permission of the Court concerned;
  - (g) provide their contact numbers as well as the contact numbers of the sureties before the concerned Court and shall not change such contact numbers without informing to the Court concerned;
  - (h) shall not act in a manner injurious and prejudice to the interest of the prosecution;
  - (i) not obstruct or hamper the police investigation or tamper with evidence or influence the witnesses;
  - (j) not take undue advantage of their liberty or misuse liberty;
3. The applicants-accused are directed to declare properties owned by them or to which they are likely to succeed.
  4. Bail Bond and cash surety be furnished to the satisfaction of the learned trial Court.
  5. The Jail Authorities will release the applicants-accused only if they are not required in connection with any other offence for the time being.
  6. Breach of any of the above conditions shall invite cancellation of bail.

7. Copy of this order be sent to the concerned Police Station/Court as well as jailor by email for being communicated to applicants under intimation to this Court.

**Signed and pronounced in open Court today  
i.e. on 6th day of March, 2026.**

**Place: Savli.  
Date : 06.03.2026**

**(A.M.Varma)  
9th Additional Sessions Judge,  
Vadodara at Savli  
(GJ-00577)**