

**ORDER BELOW EXH. 3 IN SPL.Case(Atrocity) NO. 39/2023**  
**(CNR No. MHPU21-000561-2023)**

1. The application is for regular bail in connection with Crime No. 543/2022 for the offence u/sec. 354-A of the IPC and u/s. 3(1)(w) (I), 3(2)(va) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocity) Act registered with Khed Police Station.
2. Perused the application and say with record. Heard the Spl. PP Smt. Raskar and Ld.Advocate Shri. Sabale for the accused.
3. As per the case of prosecution, on 24/08/2022 at about 11:30 a.m. when the victim was alone present in the house, the accused came to her house and tried to outrage her modesty by pressing her chest and touching to her thigh. Therefore, on the report lodged, the crime was registered and subjected to investigation.
4. On completion of investigation, the accused was directed to remain present before the court on the day of filing charge-sheet. Accordingly, the charge-sheet was filed and accused surrendered before the court, therefore, he was taken into judicial custody. On that day, the accused moved application for interim bail. On due hearing of the Ld. Special P. P. and Ld. Advocate for the accused, interim bail was granted vide order dated 10/03/2023.
5. As per the Ld. Advocate for the accused, there is no material to attract the ingredients of the offence provided under Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989. So far, offence under the I. P. C. is concerned, it is bailable. The allegations are vague, hence, prayed to grant regular bail.

6. As per the say of the prosecution, the victim belongs to Scheduled Caste and therefore he has been booked in the abovesaid offence. Except the same, nothing has been mentioned to deny the right of the accused to get released on bail.

7. On perusal of the record, I do not find material to attract the offence of Prevention of Atrocities Act. So far Section 354(A) of I.P.C. is concerned, it is bailable. Hence, looking to the entire facts, the interim relief granted so far, needs to be confirmed. Thus, I proceed to pass following order:

**ORDER**

1. Application is allowed.
2. Interim relief granted vide order dated 10/03/2023 is hereby confirmed on the same terms and conditions.
3. The bail furnished by the accused earlier is continued.

Khed.

Date : 21/03/2023

Special Judge,  
Khed-Rajgurunagar, Dist- Pune.

CERTIFICATE

I affirm that the contents of this P.D.F.file are same word for word as per original.

Name of Steno :- Smt. S. S. Phadke, Steno (Grade-I)

Court Name :- Shri. S. N. Rajurkar,  
Additional Sessions Judge,  
Khed-Rajgurunagar, Dist- Pune

Date :- 21/03/2023

Order signed by P.O. On :- 21/03/2023

Order uploaded on :- 27/03/2023