

ORDER BELOW Exh. 1 IN SPL.(CHILD) CRI. M.A. NO. 199/2013

By this application accused is seeking her release on bail with the contention that she is falsely implicated in this offence and no prima facie case or evidence police could collect though investigation is completed and charge sheet is filed on 30-12-2013.

2] It is submitted that previous bail application of this applicant was rejected on the ground that investigation was in progress. Thus it is submitted when charge sheet is filed, there is no propriety in keeping this lady accused behind bars specially when the role of this accused is very restricted.

3] Special Public Prosecutor for the State opposed the application saying that she is named in the FIR along with her sister who is still absconding. Hence if this lady accused is released on bail, she would tamper with the evidence or pressurize the witnesses.

4] I have perused the charge sheet. The victim was stated to be forced to dance or work in the Trimurti Kala Kendra which admittedly run by this applicant and her sister, who is absconding. Further the victim girl was also forced to go with the other man, who according to the prosecution raped the girl. No doubt, mother of the victim girl is one of the accused who allegedly sold her to other accused and he brought the girl to the said Kala Kendra or dancing party. Thus it can be said that this accused also sexually abused the girl or abetted the sexual abuse. However, it is also a fact that this accused is arrested on 3-10-2013 and thereafter lodged in jail and when charge sheet is filed after completion of investigation, it would not be proper to keep her behind the bars. Imposing strict conditions, she can be released on bail. Hence the following order.

ORDER

- 1] The application is allowed.
- 2] The applicant/accused Mangal Machindra Jadhav is released on bail, on her executing solvent surety of Rs. 60,000/- and her own bond in the like amount.
- 3] The applicant shall attend police station Chakan once in a week, i.e. on every Friday in between 3 p.m. to 5 p.m. till further order or till absconding accused Sangita is arrested.
- 4] The applicant shall not contact the victim girl or witnesses and shall not tamper with the prosecution evidence in any manner.

Pune,

Dated/- 01-01-2014.

(S. D. Darne)

Special Judge, Pune (Under Protection of
Children from Sexual Offences Act, 2012)

"I affirm that the contents of this PDF file Judgment are same word for word as per original Judgment. Name of Steno : Shri. V. V. Bannur, PA. Court Name : Shri. S. D. Darne, District Judge, 01, Pune. Judgment Signed by P.O. on : 1-1-14 Judgment uploaded on :- 23-1-14 Date of PDF file : 23-1-14