

ORDER BELOW Exh. 1 IN SPL.(CHILD) CRI. M.A. NO. 200/2013

Read application. Heard counsel for the applicant/accused and the Spl. Public Prosecutor for the State.

2] It is submitted this accused has not committed the offence as alleged, but at the instance of the victim herself or at her request, he went with her and there was no any kind of giving false promises of marriage etc. Further the victim is above 17 years of age and there is no reason to believe that accused has committed offence of rape or even kidnapped the victim. Further this accused was arrested on 22-11-2013 and since then he is behind bars, for little or no mistake on his part. Hence he needs to be released on bail.

3] Spl. Public Prosecutor for the State opposed the application saying that offences are serious.

4] I have perused the papers of investigation. The victim being below 18 years of age , it can be said this accused had kidnapped her, which is an offence against the guardian, but considering the other facts on record, it would be improper to keep the accused behind bars, taking due care that he would not repeat the similar act or conduct towards victim, he can be set at liberty. Hence following order.

ORDER

1] The application is allowed.

2] The applicant Nelson George Anthony be released on bail, on his executing one or two solvent sureties of Rs.30,000/- and his own bond in the like amount.

3] The applicant shall attend Mundhwa police stations once in a week, i.e. on every Friday during the period 3 p.m. to 5 p.m. till filing of the charge sheet.

4] The applicant shall not try to contact the victim or the witnesses in any manner and shall not tamper with the prosecution evidence.

Pune,

Dated/- 22-01-2014.

(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 : 22-1-14 Judgment uploaded on :- 23-1-14 Date of PDF file : 23-1-14