

Prasad

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.4324 OF 2025

Manickam Ratnavel Kaunder	...Applicant
<i>Versus</i>	
The State of Maharashtra	...Respondents

Mr. Aabad Ponda, Senior Advocate, a/w Jayesh Bhosale, Mayur Mohite and Advait H., for the Applicant.

Mr. Mayur S. Sonavane, APP for the Respondent-State.

Mr. Murtaza Najmi a/w Farida Najmi, Jackie Jain, Nancy Kanungo and Eramnisha Shaikh, for the Intervenor.

CORAM: R. M. JOSHI, J.
DATED: 29th APRIL, 2026.

PC:-

1. The Applicant seeks permission to visit Kilkaripur village, Kilpennathur Taluk, Tiruvannamalai District, Tamilnadu for the purpose of attending his mother's last rites. The Applicant is son of Ms. Thirunagapushani, aged about 77 years, who passed away on 26th April, 2026, Her cremation is scheduled to take place on 30th April, 2026 and thereafter till 12th May, 2026 final rituals are to be performed.

2. Heard learned senior counsel for the Applicant submits that in the peculiar circumstances, the Applicant be permitted to visit State of Tamilnadu for the purpose of attending cremation and final rituals of his mother. He placed on record

proposed itinerary, which is marked as 'X' for identification purpose. On instructions, he makes statement that the Applicant is ready to bear expenses of escort, which is required to be provided for the visit of the Applicant to the State of Tamilnadu.

3. Learned APP and learned counsel for the Intervenor/Informant though opposed grant of bail, it is their contention that proper conditions be imposed for permitting travel of the Applicant as prayed. Learned APP has verified the fact from Veraiyur Police Station, Tiruvannamalai district with regard to death of the Applicant's mother by communication dated 29.04.2026. following report is submitted by the said police station.

"As per local enquiry, It is verified that Mrs.Thirunagapushani Age-77 W/O Rathinavel, Kilkaripur village, Kilpennathur taluk, Tiruvannamalai Distruict who was admitted in Arunai medical college and hospital in tiruvannamalai on 26.04.2026 has passed away due to her illness on the same day at 11.15 pm."

4. At the outset, it needs to be mentioned that for any son to attend the cremation as well as last rituals of the mother would be extremely important. Apart from the fact that there is religious importance needless to emphasis on emotional bonding of son with his mother. Hence, without going into the nature of the offence alleged against the Applicant, this Court is inclined to pass order to enable the Applicant to attend cremation as well as last rituals of his mother.

5. The itinerary placed on record gives details with regard to contact as well as undertaking to surrender to the Mumbai Central Prison, Arthur Road, Mumbai within the time specified by this Court. Having regard to the travel time required, it would be in the interest of justice that the Applicant is permitted to visit Kilkaripur village, Kilpennathur Taluk, Tiruvannamalai District, Tamilnadu, as per the proposed itinerary from 29th April, 2026 to 14th May, 2026.

6. In view of the aforesaid, following order:-

ORDER

- i) In connection with CR No.398 of 2024, registered with Versova Police Station, the Applicant be released on furnishing cash security in the sum of Rs.50,000/- with the concerned police station, for attending the cremation and last rites of his mother as per the proposed itinerary, from 29th April, 2026 to 14th May, 2026.
- ii) The jail authorities are directed to provide escort to the Applicant during the aforesaid period at the expenses of the Applicant.
- iii) The Applicant is directed to surrender to the Mumbai Central Prison, Arthur Road, Mumbai, on 14th May, 2026.
- iv) The Applicant shall not tamper with the evidence or not to contact the prosecution witnesses in any manner whatsoever.

v) The applicant is specifically prohibited from visiting any other place than his residence or the place or rituals of his mother.

vi) This order being passed for specific reason, shall not be extended on any ground whatsoever.

7. Learned counsel for the Applicant submits that considering the urgency of attending the cremation of the mother of the Applicant on 30th April, 2026, the jail authorities be directed to release the Applicant after sunset. As a Special case jail authorities to release the Applicant even after sunset.

8. All parties are directed to act on an authenticated copy of this order.

(R. M. JOSHI, J.)