



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPEAL NO. 127 OF 2026

Nikhil Madhukar Thepale Vs. State of Maharashtra

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. Mahesh Rai, Advocate for the Appellant.
Ms.Sneha Dhote, APP for the State.

CORAM : NEERAJ P. DHOTE, J.

DATE : 12/03/2026

1. Heard.
2. This is an Appeal under Section 14-A of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short SC and ST Act.), since the Application for pre arrest bail of the Appellant is rejected by the learned Special Judge (Atrocities Act) and Additional Sessions Judge, Chandrapur by the impugned order dated 21.02.2026 in ABA No.73 of 2026 .
3. The Para No.2 of the Impugned order in which the prosecution's case is mentioned is reproduced below:-

2. *“ That the informant (Non-applicant No. 2), a married woman belonging to a Scheduled Caste, resides in the same vicinity as the applicant. It is alleged that on*

04/11/2025, the applicant contacted the informant and demanded to establish physical relations. When she refused, the applicant, who had previously captured nude screenshots/screen recordings of the informant during video calls, allegedly forwarded/viral-ed these obscene images to the WhatsApp numbers of the informant's husband, sister-in-law, and other relatives. The FIR came to be lodged on 05/11/2025, resulting in the registration of the aforesaid crime”.

4. The bail application of the Appellant is rejected by the learned Special Judge (Atrocities Act) and Additional Sessions Judge, Chandrapur in view of the bar under Section 18 of the SC and ST Act. On going through the First Information Report, *prima facie* offence under the SC and ST Act is not attracted. Now the investigation is over, the charge-sheet has been filed. Hence, the Appellant is protected by the following interim order.

ORDER

- i. Issue notice to the Respondent/s returnable after four weeks.
- ii. Learned APP waives service of notice for Respondent-State.
- iii. Respondent No.2 be served through the concerned Police Station.

iv. In the meanwhile, in the event of arrest of Appellant Nikhil Madhukar Thepale, in connection with Crime No. 215 of 2025, registered at the Police Station Ghugus, District Chandrapur for the offence punishable under Sections 77 and 78 of the Bharatiya Nyaya Sanhita, under Sections 66-E and 67 of the Information Technology Act, 2000, and also under Sections 3(1)(r),3(1)(w)(ii) and 3(2)(va) of the SC and ST Act, be released on bail on his furnishing PR. Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with one surety in the like amount.

v) Bail before the Trial Court.

vi) The Appellant shall not tamper with the prosecution evidence in any manner.

vii) The Appellant shall co-operate with the learned trial Court.

JUDGE