

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 3141 OF 2022

Kartik Janardhan S/o. Dhanpal

..Applicant

v/s.

The State of Maharashtra .

..Respondents

Mr. Priyal Sarda for the Applicant.

Ms. A.A.Takalkar, APP for the State.

**CORAM : ANUJA PRABHUDESSAI ,J.
DATED : 10th APRIL, 2023.**

P.C.

1. This is an application under Section 438 Cr.P.C. filed by the aforesaid Applicant apprehending his arrest in C.R.No.112 of 2020 registered with Vijapur Naka Police Station for offences under Section 354, 500 of the Indian Penal Code and Section 67A of the Information Technology Act, 2000.

2. Heard learned Counsel for the Applicant and learned APP for the State. I have perused the records and considered the submissions advanced by the learned Counsel for the respective parties .

3. The records prima facie indicate that the Applicant had uploaded one obscene video on his share chat account. The co-accused Kalokhe had posted a comment, and had given whatsapp number of the

complainant, stating that it be forwarded to the said number, in view of which the Complainant received phone calls from several persons in respect of the said obscene video. They were making some obscene comments. Hence the first informant lodged the FIR against the Applicant for outraging her modesty.

4. The records prima facie reveal that the Applicant had only uploaded an obscene video on his share chat account. He was not involved in sharing the whats app number of the first informant. the said number was given by the co-accused, who has already been arrested. Considering the role attributed to the Applicant, he was granted interim protection on 28.11.2022.

5. Learned APP states that the Applicant has co-operated with the investigation. Considering all the above said facts and circumstances, in my considered view, the presence of the Applicant is not required for custodial interrogation. Hence the application is allowed on the following terms and conditions:-

(i) In the event of arrest of the Applicant in Crime No.12 of 2020 registered with Vijapur Naka Police Station, the Applicant be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twentyfive Thousand Only) with one or two sureties in the like amount, to the

satisfaction of the Investigation Officer.

(ii) The Applicant shall report to the Investigating Officer as and when required by the Investigating Officer.

(iii) The Applicant shall keep the Investigating Officer informed of his current address and mobile/contact details, and/or change of residence or mobile/contact details from time to time.

(iv) The Applicant shall not interfere with the Complainant and the other witnesses, or tamper with the evidence in any manner.

. Application stands disposed of.

(ANUJA PRABHUDESSAI, J.)