

CRIMINAL MISCELLANEOUS APPLICATION NO. 263 OF 2003.

Shri Dayanand G. Narvekar,
President of Goa Cricket
Association, r/o Mapusa.

... Applicant.

Versus

1. Police Inspector,
Panaji Police Station,
Panaji.
2. State through Public
Prosecutor, Panaji.

... Respondents.

Mr. S.S. Kantak, Advocate for the Applicant.

Mr. S.N. Sardessai, Public Prosecutor for the
Respondents.

Coram : P.V. HARDAS, J.

Date : 29th November 2003.

ORAL JUDGMENT.

By consent of the learned counsel for the parties, this Criminal Miscellaneous Application under Section 482 of the Code of Criminal Procedure is taken up for final hearing.

2. The learned IInd Additional Sessions Judge, while granting anticipatory bail to the applicant, imposed a condition that the applicant shall not leave India without previous written permission from the Court and shall leave his address of the place wherever he goes out of the State of Goa with the police.

3. A similar question had come up for consideration at the behest of the other co-accused

accused in the said crime and this Court, by its Judgment, dated 3rd October 2003, in Criminal Miscellaneous Application No. 204 of 2003, had struck down that condition. Mr. Sardessai, learned Public Prosecutor on behalf of the respondents, has no objection for deletion of the condition regarding seeking prior written permission of the Court before the applicant leaves India. It is an admitted fact that till today the applicant has not been called to the Police Station for the purpose of interrogation.

4. In view of the Judgment referred to above, condition no. (b) in the Order, dated 2nd January 2003, directing the applicant to seek prior written permission from the Court before leaving India and intimating the address of the place wherever he goes out of the State of Goa with the police is struck down. However, it is clarified that in the event the applicant intends to leave the territory of India, he shall inform the Police the address at which he will be available.

5. With the above condition, Criminal Miscellaneous Application is allowed.

(P.V. HARDAS)
JUDGE.

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