

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Second day of March Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice V. BHARATHIDASAN

CRIMINAL ORIGINAL PETITION No.16492 of 2020

MUKESH KUMAR SHARMA

[PETITIONER/ACCUSED]

Vs

1 THE SENIOR INTELLIGENCE OFFICER,
DIRECTORATE OF REVENUE INTELLIGENCE,
CHENNAI ZONAL UNIT,
LAKSHMI COLONY, T-NAGAR,
CHENNAI-600 017.

[RESPONDENT/COMPLAINANT]

2 THE SENIOR INTELLIGENCE OFFICER,
DIRECTORATE OF REVENUE INTELLIGENCE,
KOLKATTA ZONAL UNIT,
NO.8, HOCHI MIN SARANI,
KOLKATTA-700 071.

For Petitioner : M/S.MCGANLAWFIRM Advocate

For Respondent : M/S.N.P.KUMAR, Special Public Prosecutor for DRI cases

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

This Criminal Original Petition has been filed by the petitioner to enlarge him on interim / transit anticipatory bail in the event of arrest by the respondents in C.C.No.791 of 2020 pending on the file of the Chief Judicial Magistrate, North 24 Parganas, Barasat, West Bengal by the second respondent through the first respondent.

2. The learned counsel for the petitioner would submit that a criminal case has been registered by the second respondent under the Customs Act for smuggling 1060 kgs of gold. He further submitted that it is a false complaint against the petitioner and the petitioner has nothing to do with the said allegations. He further submitted that the petitioner is willing to appear before the concerned jurisdictional Court. As the petitioner apprehends arrest by the second respondent, he prayed that Interstate Anticipatory bail may be granted to him to enable him to move the appropriate jurisdictional Court for necessary relief.

3. Mr.N.P.Kumar, learned Special Public Prosecutor for DRI Cases appearing for the first respondent submitted that no case is pending against the petitioner before the first respondent. However, on instructions he submitted that the case involves huge quantity of smuggled gold and it is always open for the petitioner to move the concerned Court and there is no necessary to grant interim bail.

4. I have considered the rival submissions.

5. Taking into consideration that there is an apprehension of arrest by the second respondent, this Court is inclined to grant inter-state interim anticipatory bail to the petitioner.

6. The interim interstate anticipatory bail is granted to the petitioner for a period of two weeks, on condition that the petitioner shall surrender before the learned Additional Chief Metropolitan Magistrate, EOW-I, Egmore, Chennai, within a period of seven days from the date on which the order copy is made ready and the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties each for a like sum to the satisfaction of the said learned Magistrate. Further, within two weeks from the date of execution of bail bond, the petitioner shall approach the competent jurisdictional Court in the State of West Bengal and seeks appropriate relief failing which, this anticipatory bail shall automatically get cancelled.

-sd/-
02/03/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE ADDITIONAL CHIEF METROPOLITAN MAGISTRATE,
EOW-I, EGMORE, CHENNAI.

2 THE CHIEF JUDICIAL MAGISTRATE
NORTH 24 PARGANAS, BARASAT,
WEST BENGAL.

3 THE SPECIAL PUBLIC PROSECUTOR FOR DRI CASES,
HIGH COURT, MADRAS.

4 THE SENIOR INTELLIGENCE OFFICER,
DIRECTORATE OF REVENUE INTELLIGENCE,
CHENNAI ZONAL UNIT, LAKSHMI COLONY, T-NAGAR,

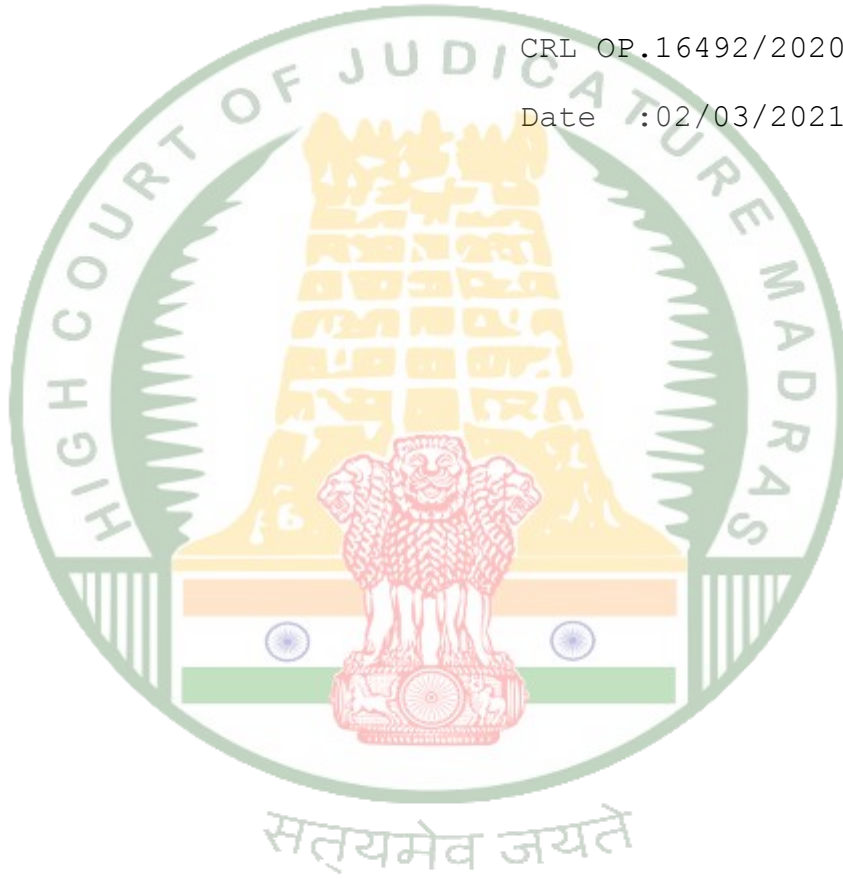
5 THE SENIOR INTELLIGENCE OFFICER,
DIRECTORATE OF REVENUE INTELLIGENCE,
KOLKATTA ZONAL UNIT,
NO.8,HOCHI MIN SARANI,
KOLKATTA-700 071.

+1 CC to M/S.MCGANLAWFIRM Advocate on payment of necessary
charges SR NO. 3034

CRL OP.16492/2020

Date :02/03/2021

MN-10/03/2021



WEB COPY