



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Seventeenth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.13614 of 2022

NABA KUMAR SHAW

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
C-2, ELEPHANT GATE POLICE STATION,
NEAR ELEPHANT GATE BRIDGE,
ADHI ANDRA COLONY,
CHENNAI-600 108.
(CRIME NO.174/2022)

[RESPONDENT]

For Petitioner : M/S.GIRIDHAR AND SAI Advocate

For Respondent : MR.A.DAMODARAN, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406 and 420 of IPC in Crime No.174 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is a senior goldsmith by profession and he is a permanent resident of Rampur Village, Jagatballavpur, Howrah, West Bengal. The petitioner is doing business with the defacto complainant for the past thirty years. Due to the Covid-19 pandemic, the defacto complainant who is the son took over the business and lodged the false complaint. He further submitted that while crafting the golden jewellery pieces requires melting, cutting and shaping which leads some possible amount of wastage to form a single piece of jewellery. During the course of petitioner's work with the defacto complainant, the petitioner estimated that the wastage could be 0.4% and informed the same to the defacto complainant. Thereafter, the defacto complainant calculated



[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

-sd/-

17/06/2022

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 VIII METROPOLITAN MAGISTRATE,
GEORGE TOWN, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
C-2, ELEPHANT GATE POLICE STATION,
NEAR ELEPHANT GATE BRIDGE,
ADHI ANDRA COLONY, CHENNAI 600 108.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.GIRIDHAR AND SAI Advocate on payment of necessary charges SR.No.9811

CRL OP.13614/2022

Date :17/06/2022

CSK 23/06/2022