

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

ANTICIPATORY BAIL APPLICATION NO. 1826 OF 2023

Joseph Chakunny Karukuttikaran

..Applicant

v/s.

The State of Maharashtra .

..Respondents

Mr. A Karim Pathan a/w. Avendra Kumar for the Applicant.

Mr. S.V.Gavand, APP for the State.

PSI R.N.Loke from Saki Naka Police Stn.

CORAM : ANUJA PRABHUDESSAI ,J.

DATED : 30th JUNE, 2023.

P.C.

1. The Applicant apprehends arrest in Crime No. 205 of 2022 registered at New Market Police Station, Kolkata, for offences under Section 420, 465, 467, 468, 471 r/ws. 120B of the Indian Penal Cod, and seeks transit bail as to enable him to approach the appropriate court for pre-arrest bail.

2. The learned APP has opposed the application mainly on the ground that, notice under Section 41A was served on the Applicant on 25.5.2023, and that he did not respond to the said notice, and filed an application only after the police visited his residence for effecting his arrest.

3. In response, learned Counsel for the Applicant states that the crime

was registered pursuant to the order passed by the Magistrate under Section 156 Cr.P.C. The Applicant was in the process of obtaining certified copies of the complaint as well as the order, and hence the delay in approaching the Court.

4. Having gone through the records, in my considered view, the apprehension of arrest are reasonable. Since the Applicant has expressed his desire to approach the appropriate court for seeking appropriate bail, in my considered view, this is a fit case to protect the Applicant for a limited period of two weeks. Hence the order:-

i. In the event of arrest of the Applicant in Crime No. 205 of 2022 registered at New Market Police Station, Kolkata, the Applicant be released on **transit bail** on furnishing bail bond of Rs.25,000/- (Rupees Twentyfive Thousand Only) with one or two solvent sureties in the like amount;

ii. This order shall remain in force for a period of two weeks, to enable the Applicant to approach the Competent Court for seeking appropriate relief. In the meantime, the Applicant shall not interfere with the complainant and the other witnesses in any manner.

. Application stands disposed of.

(ANUJA PRABHUDESSAI, J.)