

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

Anticipatory Bail Application No.2145 of 2025

Jalaluddin Karim Shaikh
Age: 55 yrs, Occ : Business,
R/o Room No.5, SVP road,
Ulanchawl, Ambernath(W),
Dist. Thane.

... Applicant.

Vs.

1. The State of Maharashtra
(Ambernath Police Station)

... Respondent.

Mr Dilip P Kamath, Advocate a/w Mr Sirajuddin Shaikh,
Ms Sandhya Tiwari, for the applicant.

Mr Akshay Kulkarni i/by Akash Kotecha for the intervenor.

PSI S. Kaldate, Ambernath Police Station, Thane.

**Coram : R.N.Laddha, J.
Date : 1 August 2025.**

P.C. :

The applicant, who apprehends arrest in CR No.491 of 2025, registered at Ambernath Police Station, Thane, for offences punishable under Sections 325 read with 3(5) of the Bharatiya Nyaya Sanhita, 2023, and Sections 5, 5(c), 9, 9(a), 9(b) and 11 of the Maharashtra Animal Preservation

Act, 1976.

2. The prosecution claims that after receiving confidential information about banned cattle meat stored for sale near Ambernath West, a raid was conducted. Nine shops were inspected, and significant quantities of the prohibited meat were found. Samples were sent for forensic testing. Following this, a formal complaint was lodged, leading to the registration of the present crime. The allegation against the applicant is that out of the nine shops, the applicant owned two premises.

3. The learned Counsel appearing on behalf of the applicant submits that out of these nine shops, the applicant's sons, who are also accused in this case, have leased out two shops. As regards the other shops are concerned, the applicant is no way concerned with those shops. The applicant is neither named in the FIR nor conducts any business from the said premises. The applicant has been falsely implicated merely on the account of being the father of the co-accused, Pappu and Saklain, who have already been released on bail. The learned Counsel further argues that the applicant has no direct or indirect

involvement in the alleged crime and nothing is to be recovered or discovered from the him. The applicant is willing to cooperate with the investigation.

4. The learned Additional Public Prosecutor representing the respondent/ State firmly opposes the applicant's plea for pre-arrest bail. He, emphasising the severity and gravity of the offence, submits that the applicant owns two of the nine shops where the illicit meat was discovered. The applicant has criminal antecedents of similar nature. The learned APP raises concerns that granting pre-arrest bail to the applicant could lead to tampering with evidence or exerting influence over potential witnesses.

5. This Court has given anxious consideration to the rival contentions and perused the records.

6. Upon perusing the records, it appears that two of the nine commercial establishments are owned by the applicant's sons. However, these premises were leased by him to his sons, the co-accused. At the time of the raid the applicant was not present in the premises. The co-accused, who were in actual possession and control of the subject

premises, have already been enlarged on bail. There is no material available on record to suggest that the applicant was physically present at the premises during the relevant time. Furthermore, there is nothing to indicate that the applicant was either in possession of the premises or exercised any control or supervision over the business activities conducted therein. The prosecution's apprehensions regarding potential tampering with evidence or influencing witnesses can be addressed by imposing appropriate conditions.

7. In these circumstances, this Court is inclined to exercise its discretion in favour of the applicant. Hence, the following order:

ORDER

(i) In the event of the applicant's arrest in connection with CR No.491 of 2025, registered at Ambernath Police Station, Thane City, he shall be released on bail upon executing a PR Bond of Rs.25,000/- and furnishing one or more sureties in the like amount.

(ii) The applicant shall attend the concerned Police Station on 5, 6 and 7 August 2025, and thereafter as and when required by the investigating officer.

(iii) The applicant, himself or through any other person, shall not tamper with the evidence or influence witnesses.

8. The application stands disposed of accordingly.

[R. N. Laddha, J.]