



CRL OP NO. 78 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-01-2025

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL OP No.78 of 2025

Puja Das Maity @ Pooja Maity

Petitioner(s)

Vs

The State Rep.By
Its, The Inspector Of Police
C-2, Elephant Gate Police Station (Crime), Chennai.
(Crime No.175 of 2024)

Respondent(s)

For Petitioner(s): Mr. Ravikumar Jambunathan

For Intervener(s): Mr.Sampath Kumar & Associates

For Respondent(s): Mr.S.Santhosh, Government Advocate,(Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 306 of the Bharatiya Nyaya Sanhita (B.N.S.), 2023, in Crime No.175/2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the de-facto complainant is a goldsmith and he had assigned a customization job for 710.980 gms of gold chain worth about 47,26,545/- to his employees and after receiving the job,



CRL OP NO. 78 of 2025

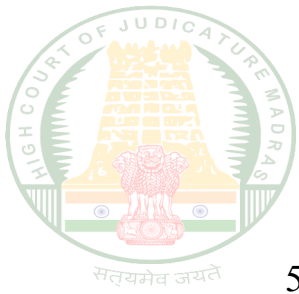
they went missing and the petitioner is the wife of the second accused.

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Hence, this case.

3. Learned counsel for the petitioner submits that the petitioner is an innocent person and she has been falsely implicated in this case. He further submitted that the petitioner is wife of A2. Even the case of the prosecution in the FIR itself is that A2, having conspired with A1, had committed the theft and thereby the petitioner has no role in the alleged crime. Merely because the petitioner is the wife of A2, she is sought to be arrayed as an accused in this case and therefore, he prays for grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police opposed for granting anticipatory bail to the petitioner. He submitted that the de-facto complainant runs a goldsmith shop, and the petitioner's husband/A2 is one of the employees working under the de-facto complainant and A2, having conspired with A1 went missing with 710.980 gms of gold worth about 47,26,545/- entrusted to them for making jewels and the petitioner was arrayed as A3, based on suspicion. He further submitted that out of 710.980 grams, only 3.11 grams of gold remain unrecovered and the investigation is going on.



CRL OP NO. 78 of 2025

WEB COPY

5. Learned counsel appearing for the intervener/de-facto complainant, vehemently opposing for grant of anticipatory bail to the petitioner would contend that the investigation is going on and the CCTV footage clinchingly reveals that A1 and A2 stole the gold chains on the date of occurrence and the stolen item has not been recovered fully.

6. Heard the learned counsel for the petitioner, learned counsel appearing for the intervener/de-facto complainant and the learned Government Advocate (Crl. Side) appearing for the respondent Police and perused the materials available on record.

7. Taking into consideration of the facts and circumstances of the case, and considering the fact that the petitioner does not appear in the CCTV footage, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions and accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance within a period of fifteen days from the date of receipt of a copy of this order, before **the learned VIII Metropolitan Magistrate Court, George Town, Chennai**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)**, with two sureties each for a like sum to the satisfaction of the respondent Police or the Police officer,



CRL OP NO. 78 of 2025

WEB COPY

who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

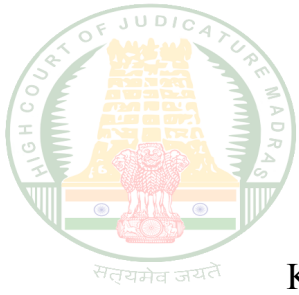
[b] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[c] the petitioner shall report before the respondent Police on everyday at 10:30 A.M., for a period of two weeks and thereafter, the petitioner shall appear before the respondent Police on the first Saturday of every month at 10:30 A.M., until further orders;

[d] the petitioner shall not tamper with evidence or witness either during the investigation or during the trial;

[e] the petitioner shall not abscond either during the investigation or during the trial;

[f] 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 was 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



CRL OP NO. 78 of 2025

WEB COPY

Kerala [(2005)AIR SCW 5560];

[g] If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

**23-01-2025
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klt/ssk.

To

1. The Inspector Of Police
C-2, Elephant Gate Police Station (Crime),
Chennai.
2. VIII Metropolitan Magistrate Court,
George Town, Chennai.



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CRL OP NO. 78 of 2025

A.D. JAGADISH CHANDIRA, J.

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CRL OP NO.78 of 2025

23.01.2025

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