

09.04.2026
Court No.28
Item No.54
ssi

CRM (A) 759 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Central Crime Branch at Tirupur City, Tamil Nadu under Sections **120B, 467, 468, 471, 420 and 511 of the Indian Penal Code and Section 66D of the Information Technology Act.**

And

In the matter of: **Birendra Kumar Mukherjee.**

.... Petitioner.

Mr. Apalak Basu
Mr. Aditya Sen

...for the petitioner

Mr. Aritra Bhattacharya

...for the de facto

Mr. Joydeep Roy, Ld. Jr. Govt. Adv.
Mr. Dattatreya Dutta

..for the State

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the father of the principal accused. The principal accused was arrested and finally granted bail by the Hon'ble High Court at Chennai after about 83 days of incarceration. Even the wife of the principal accused was not spared. She was arrested and was granted bail after 8 days of custody. It is alleged that an agreement was entered into between the de facto complainant and the concern of the principal accused for supply of gloves. But, it was alleged that only a minuscule percentage of the goods was supplied. A power of attorney of the petitioner was shown regarding land that he owned and it was allegedly agreed that if the order could not be fulfilled, then the land would be given. Even such land was not conveyed in favour of the de facto complainant. The petitioner did not respond to the notices issued.

Learned counsel appearing on behalf of the State of West Bengal files an instruction sheet from the concerned police authorities of Tiruppur City, which is taken on record. He opposes the prayer for transit anticipatory bail. He submits that a prima facie case is made out. The petitioner did not respond to notices issued thrice. A warrant of arrest has been issued against the petitioner.

It appears that the matter pertains to a contract entered into between the private parties. It is claimed by the petitioner that it was actually entered into between the de facto complainant and the proprietorship concern of the principal accused. It is claimed that a promise to supply goods was partially fulfilled. The principal accused was arrested and thereafter granted bail.

Considering the above, the allegations as leveled in the FIR and the fact that a principal accused in this case had been arrested earlier and was thereafter granted bail, I am inclined to grant transit anticipatory bail to the present petitioner.

The petitioner shall not be arrested in connection with the instant case for a period of four weeks from this date.

He shall be at liberty to pray for appropriate relief before the Courts in Tamil Nadu including filing an application for anticipatory bail within such period of four weeks.

With these observations and directions, the application for transit anticipatory bail is disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)