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CRL OP No. 2406 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 2406 of 2026

1. Sulaiman

S/o.Jakir Hussain,

Residing at

No.11/6, Rathinam Garden 1st Street,

V.G.P.Salai, Saidapet

Chennai - 600 015

2. Sheik Mohammed

S/o.Jakir Hussain,

Residing at

No.11/6, Rathinam Garden 1st Street,

V.G.P.Salai, Saidapet

Chennai - 600 015

..Petitioner(s)

Vs

State Rep.by, The Inspector of Police,

J3, Guindy Police Station,

Chennai

..Respondent(s)

PRAYER: To enlarge the petitioner on bail, in the event of his arrest by the Respondent in the above Cr.No.379 of 2025 on the file of the Respondent.



For Intervener: Mr.M.Elumalai
For Petitioner(s): Berlin Prabhu
For Respondent(s): M/S/J.R.Archana
Government Advocate (Crl.Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 316(2), 318(4) and 61 of BNS, 2023 in Crime No. 379 of 2025, seeks anticipatory bail.

2. The allegations against the petitioners/A2 & A3 are that A1 in this case has come forward to help the de facto complainant to purchase some gold jewels which were already pledged with the bank and demanded payment of money from the de facto complainant. Accordingly the de facto complainant agreed to pay a sale of Rs.1.6 crores, for gold jewels but he was not in a position to pay the money. There were arrangements made between the bank and the de facto complainant that pending loans will be cleared by some adjustments and subsequently he was directed to pay a sum of Rs.16 lakhs to A4 in this case for the purpose of redeeming the gold jewels. Accordingly, the money was also paid to A4 and it was shared between A4 and A5. In the meantime A2 and A3 contacted the de facto complainant and reported that the gold jewels agreed to be redeemed by the de facto complainant jewels belong to them. Hence, they



threatened that they will lodge a complaint against the de facto complainant. Further, it revealed that A1 to A5 are all colluded and cheated the de facto complainant to the extent of Rs.16 lakhs.

3. The learned counsel for the petitioners submits that the petitioners herein have pledged some gold jewels and without their knowledge A1 attempted to sell away the gold jewels by colluding with the de facto complainant. Hence, they come forward with the grievance against the accused No.1 and defacto complainant but without proper investigation the complaint lodged by them was closed. Further gold jewels alleged to have been sold belongs them and the money has been paid to A4 and A5 to avoid further complications and a false complaint has been lodged against the petitioners. Hence, he prays for the grant of anticipatory bail to the petitioners.

4. The learned counsel for the intervener submitted that A1 in this case is arrested and he has stated that A1 is involved in various kinds of malpractices relating to the gold jewels pledged in his branch and A1 to A5 colluded between them and petitioners are the main accused in this case. Hence, he vehemently opposed the grant of anticipatory bail to the petitioners.

5. The learned Government Advocate (Crl. Side) appearing for the



respondent police reiterated the prosecution case and submitted A1's statement reveals that he colluded with A4 and A5 and also with these petitioners and cheated the de facto complainant. A1 further stated that he joined with other accused involved in re-pledging the gold jewels with the inflated rates and swindled money, 1st petitioner has also been paid Rs.10 lakhs for his assistant. Hence, she vehemently opposed the grant of anticipatory bail to the petitioners.

6. Considering the facts and circumstances and also one of the major grievances of the de facto complainant is that he has been cheated to the extent of Rs.16 lakhs, which has been paid only to A4 directly by the de facto complainant herein. The investigation revealed that inflated jewel loans were obtained by accused No.1 colluded with other accused, from the bank and so far the bank has not yet lodged any complaint alleging that their money has been swindled. Under such circumstances, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before the **learned IX Metropolitan Magistrate, Saidapet**, on condition that **the petitioner shall execute a separate bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only)**, with two sureties each for a like sum to the satisfaction of the learned



Magistrate concerned, and on further condition:

(a) If the petitioners fails to surrender before the concerned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) The sureties shall affix their photographs and left thumb impression in the application for surety ship (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019]'. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

(c) The petitioners shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

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

(e) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.



11-02-2026

**MPA
To**

1. The IX Metropolitan Magistrate, Saidapet.
2. State Rep.by, The Inspector of Police,
J3, Guindy Police Station,
Chennai.
3. The Public Prosecutor
High Court, Madras.

K.RAJASEKAR, J.



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