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Crl.OP.No.19741 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.09.2025

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THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.19741 of 2025

1. Tabraze Ahmed @ Tabaraze Alam
2. Khalid Ahmed @ Khalith

... Petitioners

Vs.

State by
The Inspector of Police,
P-6, Kodungaiyur Police Station,
Chennai, Tamilnadu 6000118.
(Crime No.339 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to grant anticipatory bail to the Petitioner in the event of his arrest in Cr.No.339 of 2025, on the file of the respondent police.

For Petitioners	:	Mr.S.Senthil Kumar
For Intervenor	:	Mr.A.K.Benazeer Begum
For Respondent	:	Mr.S.Udaya Kumar Government Advocate (Crl.side)



ORDER

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The petitioners, who apprehend arrest for the alleged offence under Sections 406 and 420 of IPC in Cr.No.339 of 2025 on the file of the respondent police seek anticipatory bail.

2. The allegation against the petitioners is that they had borrowed a hand loan of Rs.5,90,000/- from the defacto complainant for their business purposes but failed to repay the same. Thereafter, when the defacto complainant demanded repayment of the said amount, the petitioners are alleged to have criminally intimidated him. Hence, the present case.

3. The learned counsel appearing for the petitioners submitted that the petitioners have been falsely implicated in this case. He further submitted that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned counsel appearing for the Intervenor reiterated the prosecution case and submitted that the petitioners were engaged in the business of offering gold loans, and vehemently opposed the grant of anticipatory bail to the petitioners.



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5. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and reported that the loan amount was transferred through a bank account. Hence, he opposed the grant of anticipatory bail to the petitioners.

6. Heard both sides and perused the materials available on record.

7. Considering the facts and circumstances of the case, the submissions made by both counsel, and the nature of the allegations, and taking note of the fact that the entire transaction appears to be a business-related loan transaction, this Court is of the view that custodial interrogation of the petitioners is not necessary. Accordingly, I am inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

8. 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 **X Metropolitan Magistrate, Egmore, Chennai** on condition that the petitioners shall execute separate bonds for a sum of **Rs.20,000/- (Rupees Twenty Thousand only) with two sureties** each for a like sum to the satisfaction learned Magistrate concerned, and on further condition that:



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(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 anticipatory 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 Act.

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Vv

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To

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1. The X Metropolitan Magistrate, Egmore, Chennai
2. The Inspector of Police,
P-6, Kodungaiyur Police Station,
Chennai, Tamilnadu 6000118.
3. The Public Prosecutor,
High Court of Madras,
Chennai.



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K.RAJASEKAR, J.

Vv

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