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CRL OP NO.26002 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-10-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO.26002 of 2025

1.Mohammed Iqbal Sharieff
2.Tasneem Taj
3.B.Srinivas @ Srinivasan

.... Petitioners/Accused 1,2,3

Vs

The State Rep. By
The Inspector of Police,
Thudialur Police Station,
Coimbatore City,
Coimbatore District.

(Crime No.398 of 2025)

....Respondent

PRAYER : Criminal Original Petition filed under Section 482 of BNSS Act 2023, to enlarge the petitioners on bail in the event of their arrest in Crime No.398 of 2025 pending investigation on the file of the respondent police.

For Petitioners
For Respondent

For Intervenor

: Mr.C.S.Saravanan
:Mr.S.Udayakumar,
Government Advocate (Crl.side)
:Mr.R.Anand



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ORDER

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The petitioners herein apprehend arrest at the hands of the respondent police for offences punishable under Sections 316(2), 318(4) and 351(2) of BNS 20203 (406, 420 and 506(ii) IPC, in Crime No.398 of 2025, on the file of the respondent police, and therefore seek anticipatory bail.

2. The allegation against the petitioners is that they collected a sum of Rs.17,24,310/- from the de facto complainant on the promise of supplying scrap materials. Believing that the goods were loaded and forwarded to his company, the de facto complainant made the payment. In the meantime, the petitioners transferred the amount from the company account to their personal accounts and also filed an Input Tax Credit (ITC) claim before the Karnataka Sales Tax Office, falsely stating that the goods had been supplied, whereas no goods were actually supplied. Hence, the present case.



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3. The learned counsel for the petitioners submitted that the alleged non-supply of certain materials is purely civil in nature and that the petitioners have been falsely implicated in this case. Hence, he prays for the grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) submitted that the investigation in this case is still pending and that the F.I.R. has been registered only recently. He therefore opposed the grant of anticipatory bail to the petitioners.

5. Considering the fact that the petitioners collected the amount but failed to supply the goods to the de facto complainant, and further claimed input tax credit on the basis of a false statement that goods had been supplied, which also resulted in the de facto complainant being asked to pay the sales tax, I am not inclined to grant anticipatory bail to the petitioners.



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6. Accordingly, this Criminal Original Petition stands dismissed.

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To

1. The Judicial Magistrate No.1, Coimbatore.
2. The Inspector of Police,
Thudialur Police Station, Coimbatore City,
Coimbatore District.
3. The Public Prosecutor, High Court of
Madras.

K.RAJASEKAR, J.,

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