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Crl.R.C.No.2779 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.12.2025

CORAM:

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.R.C.No.2779 of 2025
and
Crl.M.P.Nos.24260 & 24262 of 2025

Mohammad Sufiyan Shaikh

...Petitioner

-Vs-

State Rep. by
The Inspector of Police,
Cyber Crime Police Station,
Coimbatore City.
Crime No.62 of 2025

...Respondent

PRAYER: Criminal Revision Petition is filed under Sections 438 and 442 of BNSS, praying to set aside the order dated 25.11.2025 made in Crl.M.P.No.10461 of 2025 in C.C.No.2428 of 2025 on the file of the learned Judicial Magistrate No.IV, Coimbatore.

For Petitioner : Mr.W.Camyles Gandhi

For Respondent : Dr.C.E.Pratap,
Government Advocate (Crl.Side)

ORDER

The petition is filed to challenge the order dated 25.11.2025 passed by the learned Judicial Magistrate No.IV, Coimbatore, in Crl.M.P.No.10461 of



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2025 in C.C.No.2428 of 2025, dismissing the petitioner's application for discharge.

2. The petitioner is an accused in C.C.No.2428 of 2025, which has been filed for the offences under Sections 419, 420, 465, 468, 471 and Section 120(b) of the Indian Penal Code and Section 66D of the Information Technology Act.

3. The gist of the allegation in the final report is that the petitioner claimed to be running a company by name *Sunstellar Limited*; that he represented to the de facto complainant that he had close contacts with immigration authorities; that he had entered into a Memorandum of Understanding dated 22.09.2023, by which he had agreed to send persons introduced by the de facto complainant abroad for employment; that the petitioner, along with other accused, had received a sum of Rs.64,91,113/-; and that thereafter the petitioner had issued forged work permits, offer letters and accommodation letters, thereby committing the aforesaid offences.

4. Learned counsel for the petitioner would submit that the de facto complainant had lodged a false complaint, since she anticipated prosecution



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for providing fake police verification certificates; that in order to get over such prosecution, she had lodged the present false complaint; that several documents would show that the amounts were paid only towards business transactions; and that the Trial Court had failed to advert to the materials on record, and hence sought for setting aside the impugned order.

5. Per contra, learned Government Advocate (Crl. Side) appearing for the respondent submitted that this is not a simple case of a business transaction; that the allegations in the final report reveal that the petitioner had committed forgery by issuing fabricated work permits, contract letters and accommodation letters; that he had thereby deceived the de facto complainant and others; that the disputed questions of fact cannot be decided at this stage; and therefore the learned Magistrate had rightly dismissed the discharge petition.

6. A reading of the final report would *prima facie* indicate that there are specific allegations of forgery against the petitioner. The petitioner is alleged to have forged work permits and contract letters. It is alleged that he had also received a sum of Rs.64,91,113/- from the de facto complainant. The question as to whether the de facto complainant has instituted a false



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prosecution cannot be adjudicated at this stage and is a matter to be decided in the trial. Hence, this Court is not inclined to entertain the present petition. The Criminal Revision hence is liable to be dismissed.

7. The learned counsel for the petitioner further submitted that the petitioner's personal appearance before the Trial Court may be dispensed with.

8. The petitioner shall appear before the Trial Court at the time of framing of charges and on all other important hearing dates, as directed by the Trial Court. On other hearing dates, the petitioner's personal appearance shall be dispensed with, provided he is represented by a counsel. If the petitioner fails to comply with any of the above conditions, the order passed by this Court shall stand automatically vacated, without further reference to this Court.

9. Accordingly, with the above observations the Criminal Revision Petition stands dismissed. Consequently, the connected criminal miscellaneous petitions are closed.

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To

- 1.The Judicial Magistrate No.IV,
Coimbatore.
- 2.The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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