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CRL OP No. 35368 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 35368 of 2025

N. Mohammed Sufyan

Petitioner(s)

Vs

The State Rep By Its,
The Inspector of Police, Kilambakkam
Police Station, Chengalpattu District
Cr.No.204 of 2025

Respondent(s)

PRAYER Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on regular bail in Cr.No.204 of 2025 on the file of the respondent police and conditions as this Honble Court.

For Petitioner(s): Mr.B.Kumarasamy

For Respondent(s): Mr.S.Vinothkumar
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 04.10.2025, for the alleged offences punishable under Sections 103 and 238(a) of the Bharatiya Nyaya Sanhita, 2023, in Crime No.204 of 2025, on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the defacto complainant and her husband (victim) are from Andaman and Nicobar Islands. The victim and Muntaqueem Ahmed were partners in a hotel business. Muntaqueem Ahmed later relinquished his share to the victim, leading to a financial dispute. When the victim arrived in Chennai by air, he went missing and his mobile phones were switched off. A case in Crime NO.36 of 2025 was registered at the Airport Police Station and later transferred to jurisdictional police ie., Kilpauk Police Station and a new Crime No.204 of 2025 has been assigned. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner was no way connected with the alleged offence and he was arrested on 04.10.2025 and he is ready to abide by any stringent conditions that may be imposed by this court for his release and also undertakes that he will not leave the jurisdiction of the Trial Court without prior permission, hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) for the respondent police stated that due to business rivalry, the accused persons abducted the defacto-complainant's husband (the victim) upon his arrival in Chennai from Andaman. The accused allegedly murdered him and disposed of his body in a river in



Odisha. The body remains unrecovered. Therefore, the learned Government Advocate vehemently opposed for grant of bail to the petitioner.

5.Considering the submissions made on either side, the allegations against the petitioner are limited to harboring the accused and the main accused in Crl.O.P.No.35368 of 2025 have been arrested and is in judicial custody and there is no previous case pending against the petitioner, and also the period of incarceration undergone by the petitioner from 04.10.2025, I am inclined to grant bail to the petitioner subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties, for a like sum to the satisfaction of the *learned Judicial Magistrate, Tambaram*, and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;



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[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

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

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

26-12-2025

gbi/drl

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



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Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

- 1.The State Rep By Its,
The Inspector of Police, Kilambakkam
Police Station, Chengalpattu District .
- 2.The Public Prosecutor,
High Court of Madras.
- 3.The Judicial Magistrate, Tambaram.
- 4.The Central Jail, Puzhal.



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P.DHANABAL J.
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