



CRL OP(MD).No.11010 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/07/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

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Anash Mohammed,
S/o.Jabar Sathik

.. Petitioner/ Accused

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
CCD-III Police Station,
Madurai City.
(Crime No.7 of 2025)

.. Respondent/ Complainant

For Petitioner : Mr.Navaneetha Raja.K,
Advocate.

For Respondent : Mr.M.Karunanithi,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS

<https://www.mhc.tn.gov.in/judis>



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PRAYER :- For Bail in Crime No.7 of 2025 on the file of the Respondent Police.

ORDER : This Court made the following order :-

The petitioner/ Accused, who was arrested and remanded to judicial custody on 03.06.2025 for the offences punishable under Sections 318(4) of BNS, 2023 r/w. Section 66D of the Information Technology (Amendment) Act, 2008 in Crime No.7 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the de-facto complainant is running an office under the name and style of 'KT Greens India Pvt. Ltd.' at Hotel Seipiyam. At this juncture, on 22.11.2024, one Mogara Sanak contacted the de-facto complainant through WhatsApp, created a group, and added the de-facto complainant to it. Following the instructions of one Kaviya, the de-facto complainant deposited a sum of Rs.34,15,885/- into various bank accounts, one of which belongs to the petitioner. Kaviya had promised the de-facto complainant to return the deposited amount, but later failed to do so. Hence, the present case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and is in no way connected with the alleged offences as stated by the prosecution. He submitted that the de-facto complainant, at the instigation of one Kaviya and another, deposited a sum of Rs.35,000/- into the petitioner's account



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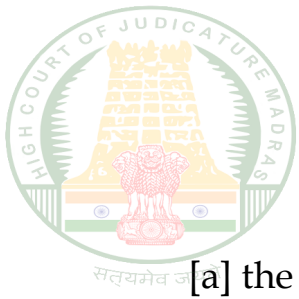
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without the petitioner's knowledge. To show his bonafide, the petitioner is ready to repay the said amount of Rs.35,000/-. He is also ready and willing to abide by any conditions that may be imposed by this Court. He further submitted that the petitioner has been in custody since 03.06.2025. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) submitted that there are totally two accused persons in this case and the petitioner has been arrayed as A1. A2 was arrested and is still under custody. Hence, he opposed to grant bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case, and considering the bonafide expressed by the petitioner, and taking note of the fact that the petitioner was remanded to judicial custody on 03.06.2025, and that as the date of registration of F.I.R. is 23.01.2025, by this time most of the investigation might have been completed, and also considering the period of incarceration already undergone by the petitioner, this court is inclined to grant bail to the petitioner, subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.IV, Madurai and on further conditions that :-



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[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 furnish his residential address and contact number to the learned Judicial Magistrate No.IV, Madurai. If the petitioner changes his residential address, he shall report the same to the learned Judicial Magistrate No.IV, Madurai;

[c] the petitioner shall deposit a sum of Rs.35,000/- (Rupees Thirty Five Thousand only) to the credit of the Crime No.7 of 2025 on the file of the respondent-police, before the learned Judicial Magistrate No.IV, Madurai, and on such deposit being made, the learned Judicial Magistrate shall accept the sureties furnished by the petitioner and learned Judicial Magistrate shall deposit the said amount in an interest bearing Fixed Deposit in any nationalized Bank initially for a period of one year and renew them periodically until the final order / judgment is passed in the case in Crime No.7 of 2025. The Trial Court shall decide the entitlement to the deposit amount at the time of passing the final order or judgment.

[d] the petitioner shall appear and sign before the respondent police daily at 10.30 a.m., until further orders;

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



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

[g] 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]; and;

[h] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

sd/-
03/07/2025

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03/07/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

mkn

TO

1.The Judicial Magistrate No.IV,
Madurai.

2. Do Through The Chief Judicial Magistrate,
Madurai.

3.The Superintendent, Central Prison,

Theni.

<https://www.mhc.tn.gov.in/judis>



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4.The Inspector of Police,
CCD-III Police Station,
Madurai City.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.11010 of 2025
Date :03/07/2025

HPS/03.07.2025 /6P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023