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CRL OP No. 1576 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 1576 of 2026

S Mohsin Khan

..Petitioner(s)

Vs

The State Rep By, The Inspector of Police

D-1 Triplicane Police Station

Triplicane, Chennai-600 005.

(Crime No.48 of 2023)

..Respondent(s)

Prayer: This Criminal Original Petition is filed under Section 482 of BNSS to enlarge the petitioner on bail in the event of his arrest the above case in Crime No.48 of 2023 which is pending on the file of the respondent police.

For Petitioner(s):

Mr.L.Gavaskar

For Intervenor:

Mr.Kanz Mohamedi

For Respondent(s):

Ms.J.R.Archana, GA (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 463, 464, 469, 471 & 420 of IPC in connection with the Cr. No.48 of 2023, seeks anticipatory bail.



2. The allegation against the petitioner is that the accused, employed at Murthuzaviya Education and Cultural Foundation of South India, Triplicane, Chennai, was entrusted with payment of Road Tax, Green Tax and Motor Vehicle Tax for the schools bus and after receiving the amounts from the management, produced receipts purportedly issued by the RTO as proof of payment. However, on verification with RTO, the receipts and FC documents were found to be forged and the tax were unpaid, thereby causing loss to the institution to the tune of Rs.16,919/- . Hence, the complaint.

3. Learned counsel for the petitioner submitted that petitioner is innocent, and he has been falsely implicated by the respondent police. He further submitted that petitioner was only working as a Watchman and had no role in the alleged fabrication of receipts. It is further submitted that petitioner is willing to deposit a sum of Rs.16,919/- to the credit of Crime No.48 of 2023 without prejudice to his defence and undertakes to cooperate with the investigation. Hence, he prays for grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution's case and further submitted that the investigation in this case is pending and opposed for grant of anticipatory bail to the petitioner.



5. The learned counsel for the intervenor would submit that the petitioner was specifically entrusted with the responsibility of remitting the statutory dues and had deliberately fabricated Government receipts to mislead the management. Hence, the intervenor prayed for dismissal of the petition.

6. Taking into consideration of the nature of offence, the willingness of the petitioner to deposit a sum of Rs.16,919/- without prejudice to his defence and custodial interrogation of the petitioner is not necessary, I am inclined to grant anticipatory bail to the petitioner subject to the following conditions.

7. Petitioner is directed to deposit a sum for Rs.16,919/- to the credit of Crime No.48 of 2023. On such deposit, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before the learned **II Metropolitan Magistrate Court, Egmore** on condition that the petitioner shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police daily at 10.30 am., for a period two weeks and thereafter as and when required for interrogation.

[b] the petitioner shall not, directly or indirectly, make any inducement,



threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer or tamper with the evidence;

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

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].

[e] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.2023.

03-02-2026
(1/2)

JAI

To

1. The Inspector of Police
D-1 Triplicane Police Station
Triplicane, Chennai-600 005.
2. The II Metropolitan Magistrate Court,
Egmore.
3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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