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CRL OP No. 2888 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

**CRL OP No. 2888 of 2026
and Crl MP No.2471 of 2026**

Mohammed Azharudeen
S/o.Hyder Ali,
No.16, New India Colony,
Ullagaram,
Madipakkam,
Chennai - 600 091

..Petitioner(s)

Vs

State Rep by The Inspector of Police
Madipakkam Police Station,
Chennai - 600 091.
Crime No.1111 of 2025

..Respondent(s)

To enlarge the petitioners on anticipatory bail in the event of his arrest in connection with Crime No.1111 of 2025 on the file of Inspector of Police, Madipakkam Police Station, Chennai.

For Petitioner(s):
For Intervenor

Mr.T Arul
Mr.R.Vijayakumar

For Respondent(s):

Ms.J.R.Archana
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest by the respondent police for the offences punishable under Sections 318(4) and 306 of BNS, in Crime No.1111 of 2025 seeks anticipatory bail.



2.The allegation against the petitioner is that he developed a relationship with the de facto complainant and subsequently exploited his position as the administrator of the trust. It is further alleged that he engaged in various malpractices and attempted to seize control of the trust's administration. Furthermore, the complaint asserts that he attempted to fabricate records and enrich himself by misappropriating trust properties. Consequently, the present complaint has been filed.

3.The learned counsel for the petitioner submitted that the petitioner continues to manage the trust's properties pursuant to a valid resolution passed by the Trust Board, and further noted that the petitioner has not been removed from his position on the Board. He argued that the present dispute is purely civil in nature, pertaining to the management of trust properties, and asserted that the petitioner has been falsely implicated in the criminal case. The counsel further stated that the petitioner is fully prepared to cooperate with the investigation and, therefore, prayed for the grant of anticipatory bail.

4.The learned counsel for the Intervenor submitted that the petitioner, along with the other accused, attempted to enrich themselves by misusing various documents of the Trust Board. It is submitted that all such documents have to be seized and an enquiry has to be conducted. If the petitioner is granted



anticipatory bail, he may indulge in further offences, which would affect the interest of the Trust Board. Hence, he opposed for the grant of anticipatory bail to the petitioner.

5.The learned Government Advocate (Crl.Side) for the respondent police reiterated the prosecution case and submitted that the petitioner is supported by the defacto complainant, and on his support, he and the co-accused have participated in the trust administration for a long time. However, they have refused to vacate and hand over the properties and have attempted to take possession of the same. They also tried to operate the bank accounts and withdraw money. The Bank Manager informed the defacto complainant, and the case was thereafter registered. It is further submitted that no money has been withdrawn by the petitioner. Hence, opposed for the grant of anticipatory bail to the petitioner.

6.Considering the fact that the petitioner has now been removed from the trusteeship and that this is a case of an attempt to grab the properties of the trust, and further considering that the petitioner has no previous cases, I am inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. Accordingly, 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 Judicial Magistrate-II, Alandur, Chennai**, on condition that **the petitioner shall execute 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 Magistrate concerned, and on further condition:

(a) If the petitioner fails to surrender before the concerned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) The sureties shall affix their photographs and left thumb impression in the application for surety ship (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019]'. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

(c) **The petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;**

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



(e) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

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To

1. State Rep by The Inspector of Police
Madipakkam Police Station,
Chennai - 600 091.
Crime No. 1111 of 2025
2. The Judicial Magistrate-II, Alandur, Chennai.
3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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