



WEB COPY

CRL OP No. 9310 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-04-2026

CORAM

THE HON'BLE MR. JUSTICE C.KUMARAPPAN

CRL OP No. 9310 of 2026

Mohammed Suheab

..Petitioner(s)

Vs

The State of Tamil Nadu,
Represented by its Inspector of Police,
D-3 Rathinagiri Police Station,
Ranipet - 632517.

..Respondent(s)

Criminal Original Petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to enlarge the petitioner on bail in the event of his arrest by the respondent police concerned in Crime No. Not known of 2026 on the file of the respondent, on such terms and conditions and as this Court may deem fit and proper and thus render justice.

For Petitioner(s):

Mr.Kably Taiyab Khan K

For Respondent(s):

Mr.P.Dhileepan

Government Advocate (Criminal Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for offences punishable under Section 318(4) of the Bharatiya Nyaya Sanhita (BNS), 2023, in Crime No. Not Known of 2026 on the file of the respondent police, seeks anticipatory bail.



2. The case of the prosecution is that the Sub-Inspector of the D3 Rathinagiri Police Station informed the petitioner via telephone that a complaint was received from the Superintendent of Police Office, Ranipet, filed by the de facto complainant regarding the alleged non-payment of university fees. Hence, this petition.

3. The learned counsel for the petitioner submits that the petitioner is a medical professional who completed his MBBS in Russia in 2023. He further states that a private entity, Indorus Wisdom MBBS Private Limited, shared the petitioner's contact details with a student while the petitioner was still studying at the university. Although the petitioner received funds from the student for educational charges, he explicitly clarified that his role was limited to that of an assistor and that he was not an agent, consultant, or intermediary. The fee arrears for the academic years 2023-2024 and 2024-2025, totalling USD 7,500, arose solely due to the agency's failure to remit the payments to the university despite receiving the funds. The petitioner maintains he is not responsible for this default.

4. The learned counsel further contends that the agency is responsible for the remaining fee balance. The student's first year was completed without dues, and the petitioner's limited involvement ended at that stage. However, the



petitioner was subsequently threatened by the D3 Rathinagiri Police with imprisonment and coerced to pay Rs. 10,00,000/- or retrieve the student's certificates. The petitioner states that these threats, made without a formal FIR or summons, constitute intimidation that could jeopardize his medical career. He submits that he is a law-abiding citizen with no criminal antecedents and is innocent of the allegations.

5. The learned Government Advocate (Criminal Side), appearing for the respondent police, reiterated the prosecution's case but, upon instructions, submitted that the petitioner has no prior bad antecedents.

6. It is a well-settled principle of law that, by virtue of the judgments of the Hon'ble Supreme Court of India in "**Satender Kumar Antil v. CBI**", reported in (2025) SCC OnLine SC 1578 and the case of "**Satender Kumar Antil v. Central Bureau of Investigation and others**" reported in (2026) INSC 115 unless there is a compelling reason, remand or arrest shall not ordinarily be resorted to by the Investigating Authority merely for the purpose of investigation. Further for effecting an arrest, there must be a reasoned order, which shall not be a mere formality.

7. In the present case, the dispute appears to revolve around contractual obligations and financial transactions concerning university fee payments,



which would require a detailed examination of bank statements and agency records. At this stage, custodial interrogation of the petitioner does not appear to be necessary, especially as the matter stems from a commercial/educational grievance. It is also relevant to observe that the grant of bail serves as an important check and balance in the criminal justice system, ensuring that no individual is subjected to unnecessary incarceration before guilt is established in accordance with law. Therefore, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions. It is made clear that if the petitioner does not co-operate with the investigation, it is always open to the prosecution to seek cancellation of anticipatory bail in accordance with law.

8. 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 is made ready, before the District Munsif-cum-Judicial Magistrate Court, Arcot, on condition that the petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only), with two sureties each, for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the petitioner(s) fails to surrender before the concerned learned 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;



WEB COPY

(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(s) 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(s) in accordance with law as if the conditions have been imposed and the petitioner(s) 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 petitioner(s) thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

15-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

Jeni



WEB COPY

CRL OP No. 9310 of 2



C.KUMARAPPAN, J.

Jeni

To

- 1.The District Munsif-cum-Judicial Magistrate Court, Arcot.
- 2.The Inspector of Police, D-3 Rathinagiri Police Station, Ranipet – 632517.
- 3.The Public Prosecutor, High Court of Madras, Chennai.

CRL OP No. 9310 of 2026

15-04-2026