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CRL OP No. 35592 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 19-01-2026**

CORAM

**THE HON'BLE MR.JUSTICE K.RAJASEKAR**

**CRL OP No. 35592 of 2025**

Mohamed Faizal

..Petitioner(s)

Vs

The State Rep. By  
Inspector of Police  
Kuniyamuthur Police Station,  
Coimbatore.  
Crime No. 374 of 2025

..Respondent(s)

**Prayer:-** Criminal Original Petition filed under Section 482 of BNSS, pleaded to grant anticipatory bail to the petitioner in the event of his arrest in connection with Cr.No. 374 of 2025 on the file of the Inspector of Police, Kuniyamuthur Police Station, Coimbatore.

For Petitioner(s):

Mr.R.Vijayakumar

For Respondent(s):

M/s.J.R.Archana

Government Advocate (Criminal side)

### **ORDER**

The petitioner herein apprehends arrest at the hands of the respondent police for the offence punishable under Section 420 of I.P.C and Section 351 (3) of the BNS, 2023, in Crime No.374 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The allegation against the petitioner is that the petitioner inducted the defacto-complainant as one of the partner in the business run by the petitioner and other accused. Without the knowledge of the defacto-complainant who is



the partner, the petitioner had transacted huge amount and misappropriated funds to the extent of Rs.42,00,000/-. Hence, the case has been registered.

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3. The learned counsel appearing for the petitioner submitted that the majority of the allegation is against the father of the A1 in this case and he was dead in the Covid – 19 pandemic. Though there are certain money transactions taken place on behalf of the firm, it is not a case of misappropriation and it is only business transaction and further it is also alleged that cheque was also issued to the defacto-complainant for settling the issue. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that a sum of Rs.42,00,000/- have been misappropriated by joining hands with the other accused and investigation in this case is pending. Hence, opposed for grant of anticipatory bail to the petitioner.

5. Considering the fact that A1 and A2 joining hands with the defacto-complainant was doing business and it is alleged that there is misappropriation and is also borne out of records and in this regard there was also arrangement for issuing cheque in favour of the defacto-complainant, I am of the view that since all the transactions have borne out of records, custodial interrogation of



the petitioner is not necessary, hence this Court is inclined to grant anticipatory bail to the petitioner with certain conditions:

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6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate No.VII, Coimbatore**, 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 that:

[a] if the petitioner fails to surrender before the concerned Magistrate within a period of fifteen 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 the identity proofs to ensure their identity;

**[c] the petitioner shall report before the respondent police daily at 10.30.a.m., for a period of three weeks and thereafter as and when required for interrogation;**

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the



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aforementioned 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)13 SCC 283]**;

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

**19-01-2026**

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To

1.The Judicial Magistrate No.VII  
Coimbatore.

2.The Inspector of Police  
Kuniyamuthur Police Station,  
Coimbatore.

3.The Public Prosecutor  
High Court of Madras.



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**K.RAJASEKAR, J.**

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