



WEB COPY

CRL OP No. 35998 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-01-2026

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THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 35998 of 2025

Mohamad Issack

Petitioner(s)

Vs

The State Rep By, The Inspector of
Police
Central Crime Branch-I, Chennai
District. Crime No.106 of 2024.

Respondent(s)

PRAYER Criminal Original Petition filed under Section 482 of B.N.S.S., to enlarge on bail in the event of his arrest pending investigation case in Crime No.106 of 2024 on the file of the respondent.

For Petitioner(s): Mr.M Karthik

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 406, 420 of IPC and under Section 5 of Tamil Nadu Protection of Interest of Depositors (In Financial Establishment) Act, 1997, in Crime No.106 of 2024 seeks anticipatory bail.



2.The allegation against the petitioner is that the petitioner is ranked as A4 in this case and he is one of the Director of the 1st accused company and they have collected a sum of Rs.1.73 Crores from 37 victims as deposit and the same has not been returned back after maturity. Hence, the case.

3.The learned counsel for the petitioner submitted that the petitioner resigned from his job as early as in the year 2020 and he has also produced the resignation letter and board resolution. He further submitted that the arrested accused were released on bail and he prayed for the grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) for the respondent police reported that petitioner is also one of the Director and also having 10% share in the company and the arrested accused were released on bail only based on the non filing of the final report within the time frame and the same is not applicable to the case of the petitioner and opposed to grant anticipatory bail to the petitioner.

5.I have also gone through the orders passed by the Sessions Court and it is only a default bail and similarly the resignation letter of the petitioner and board resolution for accepting the resignation is not the valid document since



there is no reference or registration of the same with the registrar of the company and hence the petitioner is not entitled to the claim that he is already resigned from the company. Similarly, the total amount involved in this case is Rs.1.73 Crores and so far no amount is recovered and A2's property worth about Rs.50 lakhs alone was identified and the investigation in this case is pending.

6.Considering the fact that huge amount is swindled by the petitioner and only Rs.50 lakhs worth of the property only identified, I am not inclined to grant anticipatory bail to the petitioner.

7.Accordingly, this Criminal Original Petition is dismissed.

19-01-2026

gbi

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



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To

- 1.The State Rep By, The Inspector of
Police
Central Crime Branch-I, Chennai
District. Crime No.106 of 2024.
2.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR J.
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