



CRL OP(MD). No.5375 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18.03.2026

PRESENT

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

CRL OP(MD)No.5375 of 2026

and

CrL.MP.(MD).No.6116 of 2026

Ahamadhu Maidheen

... Petitioner / Accused No.1

Versus

The State of Tamilnadu,
Rep by the Inspector of Police,
District Crime Branch Police Station,
Pudukkottai District.
(Crime No.5 of 2026)

... Respondent / Complainant

PRAYER :-Criminal Original Petition filed under Section 483 of the BNSS, 2023, to enlarge the petitioner on bail in Crime No.5 of 2026 on the file of the respondent police.

For Petitioner : Mr.P.Sathish Kumar
Advocate

For Respondent : Mr.B.Nambi Selvan
Additional Public Prosecutor

For Intervener : Mr.D.Ramesh Kumar



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ORDER : The Court made the following order :-

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The petitioner, who was arrested and remanded to judicial custody on 25.02.2026 for the offences punishable under Sections 417 and 420 of IPC in Crime No.5 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant was engaged in agricultural work and that he and his son worked abroad and had Rs.50,00,000/-. While so, through his wife's brother namely Shahul Hameed/2nd Accused, the complainant got acquainted with the 1st accused. The accused persons approached and induced the complainant to invest a sum of Rs.50,00,000/-, stating that the 1st accused was running a jewellery shop at Tenkasi and that the amount would be invested in the said business and a share in the income would be given to the complainant. Believing the words of the accused, the complainant entrusted the said amount. Subsequently, the 1st accused returned a sum of Rs.25,00,000/- and later again received the same amount from the complainant promising that he would purchase about 1 kg of gold jewellery as an investment for the complainant. However, the accused



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neither purchased the gold nor returned the money. When the complainant repeatedly demanded the amount, the accused gave evasive replies and later falsely stated that the money and jewellery had been handed over to the 2nd accused and his relatives. On further enquiry, it came to light that the accused persons had cheated the complainant. Hence, the present case has been registered for the aforesaid offences.

3. The learned counsel appearing for the petitioner submitted that the alleged amount of Rs.50,00,000/- repaid to the defacto-complainant . The petitioner is in judicial custody from 25.02.2026. Hence, he seeks the grant of bail to the petitioner.

4. The learned counsel appearing for the intervener would submit that the accused persons never repaid the amount and he opposed the grant of bail to the petitioner.

5. The learned Additional Public Prosecutor appearing for the respondent submitted that the accused persons committed heinous offence and therefore, the petitioner must deposit a reasonable amount. He strongly opposed the grant of bail to the petitioner.



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6. This Court heard the learned counsel appearing on either side and perused the materials placed on record.

7. Considering the fact that an amount of Rs.25,00,000/- already handed over to the defacto-complainant and considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner, subject to certain conditions:

8. Accordingly, the petition is allowed and connected miscellaneous petition is closed; and the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Pudukottai, and on further conditions that :-

[a] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;



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[b] the petitioner shall report before the respondent police once in 15 days at 10.30a.m. until further orders;

[c] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[d] the petitioner shall not abscond either during investigation or trial;

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

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

18.03.2026

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K.K.RAMAKRISHNAN,J.
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To

- 1.The Judicial Magistrate No.II,
Pudukottai.
2. The Inspector of Police,
District Crime Branch Police Station,
Pudukottai District.
3. The Superintendent,
District Jail, Pudukottai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.5375 of 2026

Date : 18.03.2026