



CRL OP(MD). No. 8468 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29.04.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

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Shiek Mohamed

...Petitioner/Accused

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Kanyakumari District Cyber Crime Police Station,
CCD III, Kanyakumari.
(Crime No. 5 of 2026)

...Respondent

For Petitioner : Mr.B.Senthilnathan
Advocate.

For Respondent : Mr.P.Kottai Chamy
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No. 5 of 2026 on the file of the respondent police.

ORDER : The Court made the following order :-

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The petitioner, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 318(4) of BNS, 66(D) of IT Act in Crime No. 5 of 2026 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner published an advertisement in his facebook regarding call girls. By believing the same, the defacto complainant paid Rs.700/- to the petitioner through G-Pay. However, the petitioner and A1 neither did so nor returned the amount and the petitioner and A1 cheated several persons and received huge amount. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he was falsely implicated in this case and he is no way connected in the above said incident. He has not committed any offence as alleged by the prosecution. He would further submit that A1 was already arrested and released on bail. Hence, he prayed to grant Anticipatory Bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) would submit that based on the complaint given by the defacto complainant, a case has been registered for the offences punishable under Sections 318(4) of BNS, 66(D) of IT Act in Crime No. 5 of 2026. He would further submit that the petitioner has no previous case. He would further submit that the investigation is pending and the offences are grave in nature and hence, he opposed to grant anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions made on either side and the nature of offences charged against the petitioner, and considering the facts that the alleged occurrence took place on 20.01.2026 and by this time, material part of investigation might have been completed and the petitioner has no previous case and also A1 was already arrested and released on bail, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released



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on anticipatory bail on condition to execute 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 -II, Nagercoil, and on further conditions that:

[b] the petitioner shall report before the respondent police, on every Saturday at 10.30 a.m. for a period of four weeks, and thereafter as and when required for the interrogation.

[c] the petitioner shall not commit any offences of similar nature.

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

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Judicial 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 released on bail by the learned Magistrate/Trial Court himself



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as laid down by the Hon'ble Supreme Court in P.K.Shaji vs.

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State of Kerala [(2005)AIR SCW 5560].

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

(P D B J)
29.04.2026

apd

To

- 1.The Judicial Magistrate -II, Nagercoil.
- 2.The Inspector of Police,
Kanyakumari District Cyber Crime Police Station,
CCD III, Kanyakumari.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL, J

apd

ORDER
IN
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