



CRL OP(MD). No.9339 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07.05.2026

PRESENT

THE HONOURABLE MRS. **JUSTICE S.SRIMATHY**

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1.Mohamed Gani

2.Mohamed Arif

... Petitioners/A1 & A2

Vs

The State of Tamilnadu,

Rep., by the Inspector of Police,

CCW CCD III East Thanjavur Police Station,

Thanjavur District.

(Crime No.51 of 2026)

... Respondent/Complainant

For Petitioners : Mr.M.Vivek

For Respondent : Mr.E.Antony Sahaya Prabahar

Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.51 of 2026 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, who were arrested and remanded to judicial custody on 21.03.2026 for the offences

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punishable under Sections 316(2), 318(4) of BNS and 66D of Information Technology Act, 2008, in Crime No. 51 of 2026, on the file of the respondent police, seek bail.

2. The case of the prosecution is that the accused persons received a sum of Rs.11,15,300/- from the defacto complainant on the pretext of arranging job, however, thereafter, the accused persons neither arranged any job nor returned the amount. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent person and they have not committed any offences as alleged by the prosecution. He further submitted that the petitioners are in judicial custody from 21.03.2026. Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the investigation is pending. He opposed for grant of bail to the petitioners.



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WEB COPY 5. Taking into consideration of the facts and circumstances of the case and considering the nature of offence and also considering the period of incarceration suffered by the petitioners, this Court is inclined to grant bail to the petitioners, subject to the following conditions:

6. Accordingly, the petitioners are ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Principal Sessions Judge, Thanjavur, and on further conditions that :-

[a] the petitioners 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.

[b] on condition that each of the petitioners shall deposit a sum of Rs.1,00,000/- (Rupees One lakhs only) to



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the credit of the crime number at the time of furnishing sureties. on such deposit the learned Magistrate shall accept the sureties. The petitioners are directed to deposit another Rs.1,00,000/- (Rupees One lakh only) within two months therefrom. After receipt of such amount, the Magistrate, shall deposit the said amount in an interest bearing Fixed Deposit in any nationalized Bank initially for a period of one year and renew them periodically until the final order/Judgment is passed. The learned Judicial Magistrate or Trial Court shall pass orders regarding entitlement of the said amount in its final order/Judgment; if any default in payment of installments, the bail granted will be automatically dismissed;

(c) the petitioners shall report before the respondent police daily at 10.30 a.m.,



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until further orders;

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

[f] the petitioners shall not abscond either during investigation or trial.

[g] 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].

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

07.05.2026

Rmk



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- TO
- 1.The Principal Sessions Judge, Thanjavur.
 - 2.The Superintendent, Central Jail, Trichy.
 - 3.The Inspector of Police,
CCW CCD III East,
Thanjavur Police Station, Thanjavur District.
 - 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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S. SRIMATHY, J

Rmk

ORDER
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