



CRL OP(MD). No.9763 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 03/06/2026

CORAM

THE HONOURABLE MR. JUSTICE P. DHANABAL

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1. Nihmathulla Shareef M

2. Sulthan Alavutheen ... Petitioners/ Accused No.2 & 3

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Aravakurichi Police Station,
Karur District.

Crime No.56/2026. ... Respondent/Complainant

PRAYER :-

For Anticipatory Bail in Crime No.56 /2026 on the file of the
respondent Police.

For Petitioners : Shaazim Shagar,
Advocate.

For Respondent : Mr.N.Balasubramanian,
Counsel for State of TN (Crl.Side)

ORDER : The Court made the following order :-



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The petitioners, who apprehend arrest at the hands of the respondent for the offences punishable under Sections 406 & 420 of IPC in Crime No.56 of 2026 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that A1 is running car resale business in the name of “SJ Cars Enterprise” at Chennai. The first petitioner is the brother-in-law of A1 and the second petitioner is the father of A1. The petitioners along with A1 cheated the husband of the defacto complainant a sum of Rs.20,55,000/- under the pretext of delivering second hand cars from Delhi. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they were falsely implicated in this case and they are no way connected in the above said incident. He would further submit that the entire amount was transferred to the account of A1 and the petitioners herein have no role in the alleged occurrence. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) would submit that the petitioners along with A1 cheated the husband of the defacto

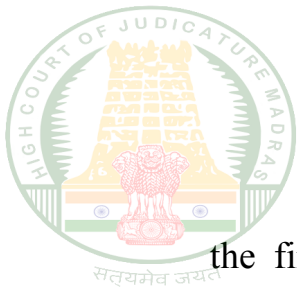


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complainant a sum of Rs.20,55,000/- under the pretext of delivering second hand cars from Delhi and the investigation is still pending. Hence, he opposes to grant anticipatory bail to the petitioners. He would further submit that A1 was already arrested and is in custody and the first petitioner has 1 previous case and the second petitioner has no previous case.

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

6. Considering the rival submissions on either side and the nature of offences charged against the petitioners, and there is a serious allegation as against A1 and the petitioners herein are arrayed as A2 & A3 and there are no specific allegation in respect of receipt of money against these petitioners and as per FIR, the entire amount was transferred to the account of A1 and A1 was already arrested by the respondent police and now he is in custody and even as per the prosecution, the alleged occurrence was took place from 25.03.2024 to 02.10.2025 and FIR was registered only on 09.02.2026 very belatedly and no previous case is pending against the second petitioner and though



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the first petitioner has 1 previous case, in that case, he was granted anticipatory bail, I am inclined to grant anticipatory bail to the petitioners, subject to the following conditions:

[a] Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate, Aravakurichi**, on condition that the petitioner shall execute 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 Judicial Magistrate concerned and on further conditions that:

[b] the petitioners shall report before the respondent police, daily at 10.30 a.m. for a period of 30 days, and thereafter as and when required for the interrogation.

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



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

[e] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].

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

(P D B J)
03.06.2026

dss



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P. DHANABAL,J

DSS

To

- 1.The Judicial Magistrate, Aravakurichi.
- 2.The Inspector of Police,
Aravakurichi Police Station,
Karur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

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Date : 03/06/2026