



Crl.OP.No.9351 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 28.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.9351 of 2025

1.Merlin Monisha A
2.Pauldaniel P
3.Stanly Yesudass
4.Sam Augustine
5.Charlie Y
6.Pushpa Kumar

.. Petitioners

Vs.

The State rep by
The Inspector of Police,
J-6, Thiruvanmiyur Police Station,
Chennai.
(Crime No.137 of 2023)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event
of arrest in Crime No.137 of 2023 on the file of the respondent Police.

For Petitioner : M/s.S.E.Reethika for
Mr.M.Devanthiran

For Respondent : Mr.S.Balaji
Government Advocate(Crl.Side)



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ORDER

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2. The case of the prosecution is that the petitioners entered into a Church and picked up quarrel with the defacto complainant, and also abused him in filthy language.

3. The learned counsel appearing for the petitioners submitted that the allegations are false; and that in any case, custodial interrogation is not required. He further submitted that this is the second anticipatory bail application and though the earlier anticipatory bail was granted, the petitioners could not execute sureties due to certain unavoidable circumstances; and prayed for anticipatory bail.

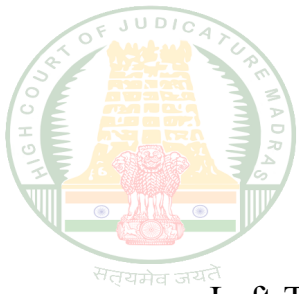
4. The learned Government Advocate (Crl. Side) appearing for the



respondent police, reiterated the prosecution case and confirmed the fact that the petitioners had been granted anticipatory bail earlier.

5. Though the petitioners had not executed sureties in terms of the earlier order granted by this Court, they have not been arrested by the respondents so far. Considering the reasons stated by the petitioners for not executing the sureties and the fact that the earlier petition stood dismissed for non-compliance, this Court is inclined to grant anticipatory bail to the petitioners with the same conditions.

6. 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 is made ready, before the **Learned XVIII Metropolitan Magistrate, Saidapet**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:



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[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 Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police as and when required for interrogation.

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

[d] the petitioners 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 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]**;

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

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Internet : Yes / No
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1.The Inspector of Police,
J-6, Thiruvanmiyur Police Station,
Chennai.

2.The learned XVIII Metropolitan Magistrate,
Saidapet.

3.The Public Prosecutor,
Madras High Court,
Chennai.

SUNDER MOHAN , J.

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