



CRL O.P. No.8750 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 26.03.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL O.P. No.8750 of 2025

Fr. M.L. Peter Jerald

... Petitioner / Accused

Vs

State rep. by:-

The Inspector of Police,
Central Crime Branch,
ACP-II, Team-I,
Tambaram City Police,
Tambaram, Chennai-600 119.
[Cr. No.102 of 2022]

... Respondent

PRAYER: - The Criminal Original Petition is filed under Section 482 of

B.N.S.S., praying to grant anticipatory bail to the petitioner / Accused in

Cr. No.102 of 2022 on the file of the respondent police.

For Petitioner : Mr. Nandhie Devhan.S.M.

For Respondent : Mr. S. Santhosh,
Government Advocate
[Criminal side]

ORDER



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The petitioner / Accused, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 406 and 420 of IPC in connection with the case in Cr. No.102 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that A1 was appointed as property incharge in the Diocese of Chenglepet by the Bishop of Chenglepet; that the 1st accused, by making use of his position, had misappropriated the Church properties and caused wrongful loss to the Diocese of Chenglepet; that the petitioner, who is the friend of the 1st accused, had abetted the 1st accused in the alleged offence.

3. The learned counsel for the petitioner would contend that the allegations against the petitioner are false; that the petitioner has nothing to do with the properties of the Church; that the petitioner has been implicated only based on the fact that he is the friend of A1; that FIR was registered in the year 2022; that the allegations are borne out by records and that custodial interrogation of the petitioner is not required and hence



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prayed to grant anticipatory bail to the petitioner.

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4. The learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and on instructions, submitted that the 1st accused was arrested and released on bail; that the petitioner was also involved in the alleged offences as certain properties were purchased jointly in the name of the petitioner and A1.

5. Admittedly, FIR was registered in the year 2022. The 1st accused was arrested and released on bail. The petitioner is a resident of Chennai. Considering the aforesaid facts, nature of allegations against the petitioner and since the custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner on certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate-I, Tambaram, Chennai-600 119** on condition that



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the petitioner shall 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 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 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 Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police everyday at 10.30 a.m., until further orders;

[c] the petitioner shall not tamper with 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



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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 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 abscond, a fresh FIR can be registered under Section 269 B.N.S.

26.03.2025

mjs

To

- 1.The Judicial Magistrate-I, Tambaram, Chennai-600 119.
2. The Public Prosecutor, High Court, Madras.
- 3.The Inspector of Police, Central Crime Branch, ACP-II, Team-I, Tambaram City Police, Tambaram, Chennai-600 119.

SUNDER MOHAN. J.,

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