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Crl.O.P.No.10171 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-04-2025

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THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO.10171 of 2025

Mercy Vinitha
W/o. Glenn Ford Pereira

....Petitioner/Accused-2

Vs

State represented by
The Inspector of Police,
Poonamallee Police Station,
Avadi District.
(Crime No.576 of 2024)

....Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory
bail in the event of her arrest by the respondent police concerned in Crime
No.576 of 2024 on the file of the respondent police.

For Petitioner : Mr. S. Vinoth Kumar

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



ORDER

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2. The case of the prosecution is that the petitioner and her husband (first accused) abused the *de facto* complainant in filthy language, attacked her and threatened her of dire consequences, when the *de facto* complainant demanded payment of the balance lease amount. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that a false case has been foisted against the petitioner and her husband; that the petitioner has no bad antecedents and that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and submitted that the injured has been discharged from the hospital; that the petitioner has no bad antecedents and that the investigation is pending.

5. Considering, the nature of allegations against the petitioner, submissions made by the learned counsels on either side, the fact that it is a dispute between the landlord and the tenant; that the injured has been discharged from the hospital and that the petitioner has no bad antecedents, and since custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Judicial Magistrate No.II, Poonamallee**, on condition that 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



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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:

[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 as and when required.

[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 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].



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

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To

1. The Judicial Magistrate No.II, Poonamallee.
2. The Inspector of Police,
Poonamallee Police Station,
Avadi District.
3. The Public Prosecutor,
High Court, Madras.

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SUNDER MOHAN, J.

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