



Crl.O.P.No.20359 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.10.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.20359 of 2025

Nesa Merlin Nesaiyan @ Merlin

... Petitioner

Vs.

State By,
The Inspector of Police,
Ketti Police Station,
Nilgiris District.
Crime No.30 of 2025

... 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 their arrest in Crime No.30 of 2025 on the file of the respondent police.

For Petitioner : Mr.T.R.Ravi

For Respondent : Mr.S.Udayakumar
Government Advocate (Criminal Side)



Crl.O.P.No.20359 of 2025

ORDER

WEB COPY

The petitioner herein apprehends arrest at the hands of the respondent police for the offences punishable under Section **420 of IPC** in Crime No.30 of 2025, on the file of the respondent Police, seek anticipatory bail.

2. The allegation against the petitioner is that the petitioner was a correspondent collected a sum of Rs.5 lakhs from the defacto complainant, who was working as a teacher in the very same school and thereafter not returned the money. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that, due to the difference of opinion, false complaint has been lodged and all the money due to the defacto complainant has been paid by the petitioner. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that, Rs.5 lakhs has been received by the petitioner and subsequently failed to repay the same. Hence, he opposed for grant of anticipatory bail to the petitioner.



5. Heard the learned counsels on either side and perused the materials available on record.

6. Considering the nature of the offence and also considering the age of the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions:

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of ten days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate, Coonoor, Nilgiris District** on condition that each of the petitioner shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand Only)** **with two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned, and on further condition that:

[a] if the petitioner fails to surrender before the concerned Magistrate within a period of ten days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;



CrI.O.P.No.20359 of 2025

[b] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[c] the petitioner shall report before the respondent police daily at 10.30.a.m., for a period of one week and thereafter as and when required for interrogation;

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

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

27.10.2025

sma



CrI.O.P.No.20359 of 2025

WEB COPY

To

- 1.The Judicial Magistrate, Coonoor, Nilgiris District.
- 2.The Inspector of Police,
Ketti Police Station,
Nilgiris District.
- 3.The Public Prosecutor,
High Court of Madras.



WEB COPY



CrI.O.P.No.20359 of 2025

K.RAJASEKAR, J.

sma

CrI.O.P.No.20359 of 2025

27.10.2025