



CRL OP(MD). No.6689 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/04/2026

PRESENT

The HONOURABLE MR. JUSTICE P. DHANABAL

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1. Mervin Abisheak @ Maarvin Abeshek

2. Rajaji, ... Petitioners/Accused

Vs

1. State of Tamilnadu Rep by
Inspector of Police,
Colachel Rural Police Station,
Kanniyakumari District.
(In Crime No.71 of 2023).

2. Arul,
S/o.Varadaraj, ... Respondents/Complainants

For Petitioner : Mr.R.Nithya,
For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



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PRAYER :-

WEB COPY For Anticipatory Bail in Crime No.71 of 2023 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent for the offences punishable under Sections 406, 420 and 506(i) of IPC, in Crime No.71 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant informed the petitioners that he owned a Swift car which was lying idle without any use. In this regard, the defacto complainant approached the petitioners seeking suggestions for earning income from the said car. The petitioners immediately asked the defacto complainant to hand over the car, stating that he would earn a profit of Rs.25,000/-. Accordingly, the defacto complainant handed over the car to the petitioners on 18.04.2021. However, after taking possession of the vehicle, the petitioners did not fulfill their promise. When the defacto complainant



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approached the petitioners and enquired about the oral agreement, they did not provide any proper response. 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. They have not committed any offence as alleged by the prosecution. Hence, he prays to grant anticipatory bail to the petitioners, as the offences are grave in nature.

4. The learned Government Advocate (Crl. Side) fairly submits that due to money dispute, the occurrence happened and no previous case is pending as against the petitioners. However, he opposes to grant anticipatory bail to the petitioners.

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 also considering the facts



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that no previous case is pending against the petitioners and though FIR has been registered on 05.04.2023, so far no steps have been taken by the respondent police to secure the petitioner, 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 anticipatory bail on condition for the petitioners to 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 learned Judicial Magistrate, Iranial, Kanyakumari District, and on further conditions that:

[b] the petitioners shall report before the respondent police, on every Saturday at 10.30 a.m. for a period of four weeks, and thereafter as and when required for the interrogation.

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

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

[e] the petitioners shall not tamper with evidence or



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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)
06.04.2026

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To

- 1.The learned Judicial Magistrate,
Iranial,
Kanyakumari District.
- 2.Inspector of Police,
Colachel Rural Police Station,
Kanniyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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P. DHANABAL,J

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ORDER
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