



CRL OP(MD). No. 12113 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24.06.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

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Merlin Sofia

...Petitioner/Accused

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
All Women Police Station
Valliyoor
Tirunelveli.
(Crime No. 48 of 2026)

...Respondent

For Petitioner : Mr.R.Ponkarthikeyan
Advocate.

For Respondent : Mr.N.Balasubramanian
Counsel for State of TN (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No. 48 of 2026 on the file of the
respondent police.

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ORDER : The Court made the following order :-

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The petitioner, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 318(4), 318(1), 316(2), 61 and 317 of BNS, 2023 in Crime No. 48 of 2026 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant and the petitioner are the husband and wife. When the defacto complainant was working abroad, the petitioner received a sum of Rs.5,00,000/- on the representation that it was required to purchase land and construct a house. However, the petitioner neither purchased the land nor returned the money and disconnected all contacts with the defacto complainant. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he was falsely implicated in this case and he is no way connected in the above said incident. He has not committed any offence as alleged by the prosecution. Hence, he prayed to grant Anticipatory Bail to the petitioner.

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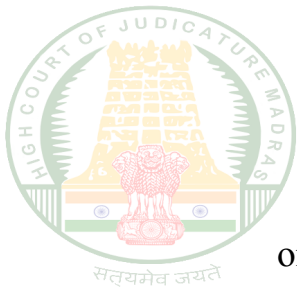
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4. The learned Counsel for State of TN (Crl.Side) would submit that based on the complaint given by the defacto complainant, a case has been registered for the offences punishable under Sections 318(4), 318(1), 316(2), 61 and 317 of BNS, 2023 in Crime No. 48 of 2026. He would further submit that the petitioner has no previous case. He would further submit that the investigation is pending and the offences are grave in nature and hence, he opposed to grant anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions made on either side and the nature of offences charged against the petitioner, and considering the facts that there is a dispute between the parties in respect of the money sent from abroad and the petitioner has no previous case, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released



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on bail in the event of arrest or on his/her appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Valliyoor, 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 learned Judicial Magistrate concerned and on further conditions that:

[b] the petitioner 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 petitioner shall not commit any offences of similar nature.

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

[e] the petitioner shall not tamper with evidence or 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



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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].

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

(P D B J)
24.06.2026

apd

To

- 1.The Judicial Magistrate, Valliyoor.
- 2.The Inspector of Police,
All Women Police Station
Valliyoor
Tirunelveli.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL, J

apd

ORDER
IN
CRL OP(MD) No. 12113 of 2026

Date : 24.06.2026