



Crl.O.P.Nos.1088 & 1007 of 2023

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T.V.THAMILSELVI, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 465 & 468 IPC, in Crime No.4 of 2023, seek anticipatory bail.

2. There are totally two accused. The petitioners are arrayed as A1 and A2. The case of the prosecution is that the minor son of the defacto complainant participated in Tamil Nadu Roller Skating Championship conducted by state level competition for national selection. Out of three races he participated and placed second and third place respectively securing four points. At that time, he was tied break point with another. Therefore, the Committee organized tie breaker race for the minor competitors. It is alleged that the Head Coach namely A1 along with Assistant Coach namely A2 of the academy without the consent of the defacto complainant gave a written consent for non-willing to participate in the said tie break race. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocents and they have not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail for the



petitioners.

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4. The learned Government Advocate (Crl.Side) would submit that the minor son of the defacto complainant participated in Tamil Nadu Roller Skating Championship conducted by state level competition for national selection. Out of three races he participated and placed second and third place respectively securing four points. At that time, he was tied break point with another. Therefore, the Committee organized tie breaker race for the minor competitors. It is alleged that the Head Coach namely A1 along with Assistant Coach namely A2 of the academy without the consent of the defacto complainant gave a written consent for non-willing to participate in the said tie break race. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the Petitioners subject to the following conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the



date on which the order copy made ready, before the learned Judicial Magistrate No.II, Pollachi, on condition that each of the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties (out of which one shall be a blood relative surety) 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 condition that:

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

(c)the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioners 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



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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]***; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

19.01.2023

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