



Crl.O.P.No.3073 of 2023

Crl.O.P.No.3073 of 2023

WEB COPY

T.V.THAMILSELVI,J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 353, 506(1) r/w 109 of IPC, in Crime No.22 of 2023, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the principal of the Coimbatore Law College. The first petitioner on the instigation of the second petitioner entered into wordy quarrel with the Manager, Coimbatore Law College regarding transfer certificate. Hence, the complaint.

3. Learned counsel appearing for the petitioners submitted that the first petitioner is the husband of the second petitioner and studying 2nd year LLB course and she cleared all the papers with 71.71%. When she enquired office to issue Transfer certificate, the manager of the said college responded that she did not produced her UG Transfer certificate and hence he will not issue LLM transfer certificate and for this reasons, these petitioners are falsely



Crl.O.P.No.3073 of 2023

implicated in this case. He further submits that without considering the welfare of the students and on personal vengeance in order to harass the petitioner, the false complaint has been given by the defacto complainant. Hence, he prays to grant anticipatory bail to the petitioners.

4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that the first petitioner on the instigation of the second petitioner regarding Transfer certificate, they quarrelled with the Manager of the said college. He also stated that during the point of time, the second petitioner was seven months pregnant and lost her child. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioners.

5. Taking into consideration the facts of the case and the submissions made by the learned counsels, this Court is inclined to grant anticipatory bail to the petitioners with certain 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 (15) days



CrI.O.P.No.3073 of 2023

from the date of receipt of a copy of this order before the *learned Judicial Magistrate No.VI, Coimbatore*, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only), each with two sureties 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 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the first petitioner shall report before the respondent police on every Saturday at 10.30 a.m., for a period of four weeks and the second petitioner shall appear before the respondent police 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 appropriate action against the petitioners in accordance with law as if the



WEB COPY



CrI.O.P.No.3073 of 2023

T.V.THAMILSELVI, J.

drl

conditions has been imposed and the petitioners is 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;

13.02.2023

drl

CrI.O.P.No.3073 of 2023