



Crl.O.P.No.8420 of 2023

Crl.O.P.No.8420 of 2023

A.D.JAGADISH CHANDIRA, J.

The petitioner, who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 25(1B)(a) of Arms Act, 1959 in Crime No.103 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 28.03.2023 while the defacto complainant along with two others were on patrol duty and they were in regular check up that the accused was found in possession one countrygun with two bullets and two magazine were recovered and the first accused was not having any valid license. Later, during the course of the investigation he had confessed that his wife was having two guns and one was recovered from the spot and another was from her house. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and she has been falsely implicated in



Crl.O.P.No.8420 of 2023

this case and since she happens to be the wife of Ayothi Ravi. He further submitted that the said Ayothi Ravi is a member of political party and due to political animosity a false complaint has been registered against her husband and based on the alleged confession recorded from the husband, the petitioner has been falsely implicated in this case. He further submitted that even as per the confession, the first accused is stated to have informed the police that there are two guns and one was recovered on the spot and later based on his confession, another gun was recovered from the petitioner's house. Under such circumstances, the custodial interrogation of the petitioner may not be required in this case. He also submitted that the petitioner has no previous case pending against her. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.side) appearing for the respondent would submit that the petitioner is the wife of the main accused one Ayothi Ravi. Under such circumstances, the petitioner and her husband was having two unlicensed gun one was recovered from the



Crl.O.P.No.8420 of 2023

spot and later based on his confession another gun was recovered from her house. Hence, he vehemently opposed to grant of anticipatory bail to the petitioner.

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

6. Taking into consideration the facts and circumstances of the case, 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 her appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Judicial Magistrate No.VI, Coimbatore**, 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 respondent police or the police officer who intends to arrest or to



Crl.O.P.No.8420 of 2023

WEB COPY

the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner 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 petitioner shall report before the respondent everyday at 10.30 a.m., for a period of two weeks and thereafter every Saturday at 10.30 a.m., until further orders.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner 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 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.**



Crl.O.P.No.8420 of 2023

State of Kerala [(2005)AIR SCW 5560].

WEB COPY

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

05.06.2023

jas



WEB COPY



Crl.O.P.No.8420 of 2023

A.D.JAGADISH CHANDIRA, J.

jas

Crl.O.P.No.8420 of 2023

05.06.2023