



Crl.O.P. No.20814 of 2024

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P. DHANABAL.J.,

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The petitioner apprehends arrest for the alleged offences under Sections 120B, 465, 467, 468, 471 & 420 of IPC in Crime No.52 of 2024, on the file of the respondent police seeks anticipatory bail.

2.The case of the prosecution is that the 1st accused along with other accused had concocted a life certificate of husband of the defacto-complainant on 19.09.2023 and received it from this petitioner, who is running a clinic and created forged documents and registered the same in favour of the 2nd accused. Hence the case.

3. The learned counsel for the petitioner would contend that this petitioner is an active medical practitioner. The accused persons were approached the petitioner and asked to issue life certificate to an old person. This petitioner after verifying the identity of the said person by comparing the details of his face with his Aadhar and issued life certificate. This petitioner is an innocent person and she had not indulged in any illegal activities as alleged by the prosecution and she has been falsely implicated in this case by the respondent police. There is no previous case as against this petitioner. Hence, he seeks anticipatory bail to the petitioner.



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4. The learned Government Advocate (Criminal Side) would submit that this petitioner is the medical practitioner, she issued a life certificate of defacto-complainant's husband without following the procedures, this petitioner colluded with the accused persons and issued life certificate. In this case, the 1st accused was arrested and released on bail. There is no previous case as against this petitioner. However, the learned Government Advocate (Criminal Side) vehemently opposed to grant anticipatory bail to the petitioner.

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

6. Considering the rival submissions on either side, considering the nature of allegations against the petitioner, no previous case as against this petitioner and the first accused of the case was arrested and subsequently released on bail and considering other aspects, this court is inclined to grant anticipatory bail to the petitioner, subject to the following conditions:



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7. Accordingly, the petitioner is ordered to be released on anticipatory 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 Court-II, 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 learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police daily at 10.00a.m. until further orders;

[b] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

[c] the petitioner shall not leave India without the prior permission of the Court.

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



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

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.2023.

04.09.2024

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