



Crl.O.P.No.22201 of 2022

Crl.O.P.No.22201 of 2022

A.D.JAGADISH CHANDIRA, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 147, 148, 448, 504, 355 and 506(ii) of IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.312 2022, seek anticipatory bail.

2. The case of the prosecution as per the de-facto complainant who is a practising Advocate is that the petitioners had come to his office for settlement talks in a divorce petition and there ensued a quarrel. The petitioners along with other accused formed an unlawful assembly and induced the de-facto complainant, intimidated him and also assaulted his lady junior. Hence the complaint.

3. The learned counsel for the petitioners would submit that the first petitioner who is an Advocate along with his client, have gone to the office of the de-facto complainant for settlement talks on the invitation given by the de-facto complainant. When the petitioners have gone there,



Crl.O.P.No.22201 of 2022

WEB COPY

the de-facto complainant had abused the first petitioner and his client by calling them with caste name and there was a quarrel and on the compliant given by the petitioners, a case in Crime No.311 of 2022 came to be registered by the respondent Police. The de-facto complainant has given a complaint as if the petitioners along with his client attempted to assault him and abused him. He would submit that the first petitioner is a practising Advocate and the de-facto complainant is also a practising Advocate and there is likelihood of settlement and that the petitioners are unnecessarily dragged into the case.

4.The learned Government Advocate (Crl. Side) appearing for the respondent Police would submit that the petitioners had come to the office of the de-facto complainant for settlement talks in a divorce petition and there ensued a quarrel. The petitioners along with other accused formed an unlawful assembly and induced the de-facto complainant and intimidated him and also assaulted his lady junior. Hence, he vehemently opposed for grant of anticipatory bail to the petitioners.



Crl.O.P.No.22201 of 2022

WEB COPY

5.Heard both the learned counsels and perused the materials available on record.

6.Taking into consideration the facts and the submissions of the learned counsels, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions;

7.Accordingly, the petitioners are 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.I, Tiruvannamalai on condition that each of the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 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



WEB COPY



CrI.O.P.No.22201 of 2022

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 everyday at 10.30 a.m., for a period of two 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 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]**;



Crl.O.P.No.22201 of 2022

WEB COPY

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

14.09.2022

vkx



WEB COPY



Crl.O.P.No.22201 of 2022

A.D.JAGADISH CHANDIRA, J.

vkf

Crl.O.P.No.22201 of 2022

14.09.2022