



Crl.O.P.No.27345 of 2022

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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 294(b), 448, 506(i) of IPC and Section 4 of Tamil Nadu Woman Harassment Act r/w Section 120(B) of IPC, in Crime No.619 of 2022, seek anticipatory bail.

2.The case of the prosecution is that both the 1st petitioner and the defacto complainant are advocate by profession. There was a money dispute between the 1st petitioner and the defacto complainant and one Mohamed Nafil. Due to which, two civil suits in O.S.No.3885 of 2022 on the file of learned XIX Assistant City Civil Court at Arlikulam and O.S.No.4810 of 2022 on the file of the learned IV Additional City Civil Court are pending. Hence, the case.

3.The learned counsel for the petitioners would submit that the petitioners are no way connected with the alleged offence and due to



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previous enmity, they have been falsely implicated in this case. He would further submit that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court and hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) would submit that both the 1st petitioner and the defacto complainant are advocate and due to money dispute between them, they have given complaint against each other before the Bar Council of Tamilnadu and Puducherry, which are still pending. More so, two civil suits are also pending. Hence, he vehemently opposed for grant of anticipatory bail to the petitioners.

5. Heard the learned counsel and perused the materials available on record. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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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 V Metropolitan Magistrate, Egmore, Chennai** on condition that each of the petitioners shall execute a separate 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 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 daily at 10.30 a.m. for a period of two months;



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[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]**;

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

7.Further, the defacto complainant is a practising advocate and the petitioners are causing some disturbance to the family members of the defacto complainant. She has also produced some photographs before this Court to prove the same. Hence, this Court directs the petitioners not



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to disturb the defacto complainant and her family members. The petitioners and the defacto complainant are directed to work out their remedy in the manner known to law.

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