



Crl.OP.No.22762 of 2023

Crl.O.P.No.22762 of 2023

and

CrI.M.P.No.18228 of 2023

WEB COPY

C.V.KARTHIKEYAN,J.

The petitioner/A2 in Crime No.653 of 2023, who is an Advocate, is now before this Court not as an Advocate, but as an accused. He should realise that his role has now been totally converted from that of an Advocate to an accused in Crime No.653 of 2023, registered under Sections 384, 294(b), 506 (1) IPC, r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002.

2.This Court had earlier considered the anticipatory bail application of A3 & A4. There is an intervenor, who has appeared on behalf of the defacto complainant and has raised very strong objections.

3.It is the contention of the learned counsel for the petitioner that the property was sold by the defacto complainant to the wife of A4. It is stated that the petitioner has no role to play in the entire transaction and he was never involved in the transaction. On the other hand, the contention of the learned counsel for the intervenor is that the petitioner herein had received all the documents and it is also stated that even in the sale deed, it had been stated that



Crl.OP.No.22762 of 2023

the sale consideration would be paid in installments. It is stated that the sale consideration had not been paid and when questioned, it is stated that the defacto complainant was threatened and there was a denial to pay the sale consideration. On the side of the respondent, it is stated that so far as this petitioner is concerned, he had taken the defacto complainant in a Car and had threatened her.

4.The learned counsel for the petitioner denied all these aspects claiming that A3 & A4 had been granted anticipatory bail by this Court and also claimed the same relief to be granted to the petitioner herein.

5.The petitioner, who is an Advocate should uphold the dignity of the profession. If the defacto complainant is not his client, when he finds that the defacto complainant had not been paid the sale consideration of a property sold by her, then as a person trained in law, he should stand aside and ensure that the sale consideration is actually paid. He cannot claim ignorance and cannot claim that he is not directly involved and need not answer the allegations in the FIR. The petitioner will have to face and will have to stand trial and that would apply for the petitioner herein. It is the specific contention of the learned



Crl.OP.No.22762 of 2023

counsel for the intervenor that the petitioner had received the documents. From

all these facts, it is seen that the property involved is the one which had been allotted for the welfare of the Adi Dravidar community and it is not known whether such property can be conveyed and the sale deed is lawful and legal. It is also not known that whether A4 also belongs to the same community and such property can be sold to any other community people. A person who knows law will know all these aspects and he should properly advice the parties about their duties and responsibility. The petitioner will necessarily have to face consequences. Eventhough A3 & A4 had been granted anticipatory bail, I am not inclined to grant anticipatory bail to the petitioner herein.

6.Accordingly, this Criminal Original Petition is dismissed.

Consequently, connected miscellaneous petition is also closed.

sli

17.11.2023



Crl.OP.No.22762 of 2023

C.V.KARTHIKEYAN,J.

sli

Crl.O.P.No.22762 of 2023

17.11.2023