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Crl.O.P.No.26832 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners/A2 and A4 seek anticipatory bail in Crime No.235 of 2023 registered by the respondent Police for the offences punishable under Sections 294(b), 323, 451, 380, 506(i) r/w 34 of IPC.

2. The Anticipatory bail application of A1, A3 and A5 came up for consideration before this Court in Crl.O.P.No.24967 of 2023 and by an order dated 09.11.2023, Anticipatory bail was granted. The petitioners herein are advocates and they had accompanied A1, A3 and A5 over to the house of the husband of A1 to collect certain documents of a house which he claims to have purchased but which A1 claims had been purchased by her father. Additionally, they wanted to collect gold jewellery for usage of the daughter of A1 and the defacto complainant. The petitioners should have upheld the dignity of their profession and should not have ventured beyond their office for this particular purpose.

3. At the most, if they go to a public office it would be extension of their professional duty. But going over to the house of the opponent of their client, would naturally invite allegations against them and complaint being



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lodged and FIR being registered. This is what had happened. But anticipatory bail had been granted to A1, A3 and A5.

4.Taking all these factors into consideration, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is 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 **XVII Metropolitan Magistrate, Saidapet, Chennai** on condition that the petitioner 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 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 police once a week, for a period of two weeks and thereafter,



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as and when required for the interrogation.

[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 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.

11.12.2023

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