



Crl.O.P.No.2774 of 2023

Crl.O.P.No.27774 of 2023

C.V.KARTHIKEYAN, J.

The petitioners, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147,294(b),323 and 506(ii) of I.P.C r/w Section 4 of the Tamil Nadu Protection of Harassment of Women Act 2002 in Crime No.729 of 2023, seek anticipatory bail.

2. It is stated that A1 and the defacto complainant are both advocates. It is stated that there was a professional enmity over a particular client who had decided to change the Advocate. It is further stated that, other accused along with the petitioner on 09.11.2023 at about 9.45 p.m had entered into the house of the defacto complainant and had assaulted him and his mother. However, the injured had been treated as out patient. It is stated that the quarrel escalated into violence.

3. Taking into consideration the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions:



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4. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate-I, Poonamallee** on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten thousand only) each 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 this Court 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 appear before the respondent police daily at 10.30 a.m until further orders.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.



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[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 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 229A IPC.

05.01.2024

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