

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Thiru R. Selvakumar, B.A., M.L.,
Principal Sessions Judge**

Monday, the 13th day of September 2021

CrI.M.P.No.15178/2021

in

E.3, Teynampet P.S. Cr.No.349/2021

Pillu @ Fleming Francis

.. Petitioner/Accused.

Vs.

State Rep. by
The Inspector of Police(L&O),
E.3, Teynampet Police Station,
Chennai.

.. Respondent/Complainant.

This petition is coming on this day before me for hearing, upon hearing M/s. C.Ganesh Pandian, A. Shabanal, M. Nanda Gopal, U. Mohamed Siddiquedeen, C. Prabakar, K.N. Paridhi Arasu, Counsel for the petitioner and of CPP for respondent, this Court delivered the following :

ORDER

1. The petitioner, who was arrested on 2.9.2021 for the offence punishable under Section 294(b), 436 IPC in Cr.No.349/2021 on the file of the respondent police, seeks bail.

2. Learned counsel for the petitioner and learned CPP were heard through Video Conference.

3. Learned counsel for the petitioner submits that the petitioner is in custody for the past 10 days. There was a wordy quarrel, in which defacto complainant's motorcycle was set on fire. No offence u/s.436 IPC is attracted and thus he prays for bail.

4. On the other hand, learned CPP submits that the petitioner and others are rowdy elements. In a open place, during day light, the defacto complainant's motorcycle was set on fire by the accused, which caused fear among the general public and seriously objects granting bail.

5. Admittedly, as evidenced by the Case Diary, the defacto complainant's motorcycle was burnt in total. The accused is in custody for the past 10 days. Considering the short duration of custody, this court is not inclined to grant bail to the petitioner at present.

6. Hence, the petition is dismissed.

Delivered by me today.

Principal Sessions Judge

nmk

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Thiru R. Selvakumar, B.A., M.L.,
Principal Sessions Judge**

Monday, the 13th day of September 2021

Crl.M.P.No.15729/2021

in

R.8, Vadapalani P.S. Cr.No.677/2021

Rosaryiokumar @ Chinna @ Chinna Rasu

.. Petitioner/Accused.

Vs.

State Rep. by
The Inspector of Police,
R.8, Vadapalani Police Station,
Chennai.

.. Respondent/Complainant.

This petition is coming on this day before me for hearing, upon hearing M/s. R. Balasubramanian, M. Ramesh, Counsel for the petitioner and of CPP for respondent, this Court delivered the following :

ORDER

1. The petitioner, who was arrested on 19.8.2021 for the offence punishable under Section 332 IPC in Cr.No.677/2021 on the file of the respondent police, seeks bail.
2. Learned counsel for the petitioner and learned CPP were heard through Video Conference.
3. Learned counsel for the petitioner submits that the petitioner was arrested on 19.8.2021. Till date he is in custody. An exaggerated complaint has been given with the respondent police and hence prays for bail.
4. On the other hand, learned CPP submits that the petitioner is a notorious criminal. As a routine check-up, when the police went to the residence of the petitioner, he simply pushed the police official in the stairs and ran away. Due to the push by the petitioner, the Head Constable by name Raja sustained fracture and seriously objects granting bail.
5. On perusal of the Case Diary, it appears the petitioner is having number of previous cases against him. When the police went to his residence to check-up his presence, he ran away from the said house by pushing the police official from the staircase. The AR

copy available in the Case Diary would go to show the fracture on the left heel. Considering the fracture sustained and the antecedents of the petitioner, this court is not inclined to grant bail to the petitioner at present.

6. Hence, the petition is dismissed.

Delivered by me today.

Principal Sessions Judge

nmk

IN THE COURT OF SESSIONS AT CHENNAI

Present: Thiru R. Selvakumar, B.A., M.L.,

Principal Sessions Judge

Monday, the 13th day of September 2021

CrI.M.P.No.15380/2021

in

CCB-I Cr.No.76/2021

Balakrishnan

.. Petitioner/Accused.

Vs.

State Rep. by
The Inspector of Police,
CCB-I, Egmore,
Chennai.

.. Respondent/Complainant.

This petition is coming on this day before me for hearing, upon hearing M/s. E. Ravendran, B. Sasikumar, Counsel for the petitioner and of CPP for respondent, this Court delivered the following :

ORDER

1. The petitioner, who was arrested on 23.8.2021 for the offence punishable under Sections 419, 420, 465, 467, 468, 471 r/w. 34 and 109 IPC in Cr.No.76/2021 on the file of the respondent police, seeks bail.

2. Learned counsel for the petitioner and learned CPP were heard through Video Conference.

3. Learned counsel for the petitioner submits that the petitioner is only an Attestor, who had identified the Executor at the time of Sale Deed as requested by his neighbour. He had no personal knowledge about the fraud committed by his neighbour Pradeep Raj. The petitioner is innocent. He is in custody for nearly 20 days. Hence, prays for bail.

4. On the other hand, learned CPP submits that a bogus Power of Attorney by impersonating one K.C. Mathew Robert has been created on 5.10.2020, in which the present petitioner is the identifying witness. Prima facie, the petitioner facilitated the impersonation. Investigation is at the budding stage and thus seriously objects granting bail.

5. Considering the seriousness of the offence involved and the worth of the property grabbed and the stage of the investigation, this court is not inclined to grant bail to the petitioner at present.

6. Hence, the petition is dismissed.

Delivered by me today.

Principal Sessions Judge

nmk

IN THE COURT OF SESSIONS AT CHENNAI

Present: Thiru R. Selvakumar, B.A., M.L.,

Principal Sessions Judge

Monday, the 13th day of September 2021

Crl.M.P.No.14922/2021

and

Crl.M.P.No.15225/2021

(intervene petition)

And

Crl.M.P.No.14923/2021

and

Crl.M.P.No.15224/2021

(intervene petition)

in

W.7, AWPS, Cr.No.2/2021

Gopalakrishnan

.. Petitioner/Accused in
Crl.M.P.No.14922/2021

Balamurugane

.. Petitioner/Accused in
Crl.M.P.No.14923/2021

Vs.

State Rep. by
The Inspector of Police,
W.7, All Women Police Station,
Anna Nagar,
Chennai.

..Respondent/Complainant in
both the petitions.

The above petitions are coming on this day before me for hearing, upon hearing M/s. A. Arun Babu, A. Tamilvanan, B. Ram Kumar, K. Sureshababu, Counsel for the petitioners and of CPP for respondent and of M/s. S. Ruben, R. Vijay Kumar, A. Parthiban, Counsel for the intervener in both the petitions, this Court delivered the following :

COMMON ORDER

1. The petitioners, who apprehending arrest at the hands of the respondent police, for the alleged offence u/s.498A of IPC in Crime No.2/2021 on the file of the respondent police, seeks anticipatory bail.

2. Learned counsel for the petitioners, learned counsel for the intervener and the learned CPP were heard through Video Conference.

3. Learned counsel for the petitioners submits that the petitioner/Balamurugane is the husband of the defacto complainant/Kokila Shree. The other petitioner/Gopalakrishnan is the brother-in-law of the defacto complainant. There was some matrimonial dispute and property dispute between Balamurugane and the defacto complainant/Kokila Shree, which resulted in number of litigations including civil suits before the City Civil Court, Chennai and the Munsif Court, Poonamallee etc., In order to resolve the civil disputes an exaggerated complaint has been given against the petitioners as if there was harassment at the hands of the husband and in-laws. In fact the mother and other relatives were granted anticipatory bail by this court in CrI.M.P.Nos.6872 and 7382 of 2021 on 15.4.2021. Custodial interrogation is not necessary. Only to humiliate the present petitioners, the complaint has been given. The petitioners are having roots in the society. There is no chance for escape. Hence, prays for granting anticipatory bail.

4. On the other hand, learned CPP and the counsel appearing for the intervener submits that the petitioner Balamurugane already approached the Hon'ble High Court, Madras for anticipatory bail, therein, the Hon'ble High Court directed the petitioner to approach the High Court for anticipatory bail in case of necessity. Leaving that, the present petitions were filed before this court. There are serious dispute between the spouses, in which their family members were also involved. They seriously objects granting anticipatory bail. Learned counsel for the intervener also produced the copy of order of the Hon'ble High Court in O.P.No.14958/2020.

5. By order dated 24.9.2020 in CrI.O.P.No.14958/2020, the petitioner Balamurugane got the following order, "*The petitioner is directed to appear before the respondent police and the Investigating Officer has to conduct the enquiry by strictly following the procedures therein. The Investigating Officer is to either register a First Information Report or close the complaint by 22.10.2020. If the Investigating Officer has grounds to arrest the petitioner, then he has to state the reasons in writing and communicate the same to the petitioner and in that case, the petitioner is at liberty to file necessary application before this court seeking anticipatory bail.*" Only after the said

order, it appears Cr.No.2/2021 was registered. Nothing has been averred in the affidavit as if, the petitioners herein appeared before the Investigating Officer for enquiry.

6. Admittedly, the petitioner Balamurugane is residing at Singapore. The other petitioner Gopalakrishnan is residing at Oman. So, they never appeared before the Investigating Officer for enquiry as directed by the Hon'ble High Court. Even otherwise, the Hon'ble High Court directed the petitioner/Balamurugane to move anticipatory bail before the Hon'ble High Court. Under such circumstances, entertaining anticipatory bail applications by this court may lead to unnecessary comments on this court. Under such circumstances, this court is not inclined to grant anticipatory bail to the petitioners.

7. Hence, both the petitions are dismissed.

Delivered by me today.

Principal Sessions Judge

nmk