

IN THE COURT OF SESSIONS AT CHENNAI

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

**Wednesday, the 18<sup>th</sup> day of August, 2021**

**Crl.M.P.No.13780/2021**

in

**B-2, Esplanade P.S. Crime No.1296/2021**

Rajesh

.. Petitioner/Accused

Vs.

State Rep. by  
The Inspector of Police,  
B-2, Esplanade Police Station,  
Chennai.

..Respondent/Complainant

This petition is coming on this day before me for hearing, upon hearing M/s.G.Venkatesan and C.Moorthy, Counsel for the petitioner and of CPP for the respondent, this Court delivered the following

**ORDER**

1. The petitioner, who was arrested on 9.8.2021 for the offences punishable under Section 341, 294(b), 506(i) of IPC in Crime No.1296/2021 on the file of the respondent police, seeks bail.

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

3. Learned counsel for the petitioner submits that the petitioner is no way connected with the offence. He has been falsely implicated in this case. He was arrested on 9.8.2021 and he is in custody for more than 10 days. The only offence attracted against the petitioner is u/s 506(i) IPC and prays for bail.

4. On perusal of the C.D., it appears the present petitioner is the agent of one Thahira. They cheated the defacto complainant under the guise of sending him to abroad. When the defacto complainant approached for return of the amount, he has been abused and threatened. Though the complaint reveals cheating under the guise of foreign employment to the tune of Rs.6 lakhs, the accused was remanded only u/s 294(b), 341 and 506(i) of IPC. In the confession statement, the other accused categorically admits the receipt of Rs.6 lakhs through bank account. Why the offence u/s 420 IPC is at all included there is no

explanation from the Prosecution. Prima facie, the offence appears to be grave in nature. Hence, this court is not inclined to grant bail.

5. Petition is dismissed.

Delivered by me today.

ss

**Principal Sessions Judge**

IN THE COURT OF SESSIONS AT CHENNAI

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

**Wednesday, the 18<sup>th</sup> day of August, 2021**

**Crl.M.P.No.13774/2021**

in

**RPF Chennai Central P.S. Crime No.8/2020**

Mohammed Jasim @ Sukku

.. Petitioner/Accused

Vs.

State Rep. by  
The Inspector of Police,  
RPF Chennai Central Police Station,  
Chennai.

..Respondent/Complainant

This petition is coming on this day before me for hearing, upon hearing M/s.A.Jayamohan, R.Ilayaraja and K.Ajith, Counsel for the petitioner and of CPP for the respondent, this Court delivered the following

**ORDER**

1. The petitioner, who was arrested on 29.7.2021 for the offences punishable under Section 3(a) RP (UP) Amended Act 2012 in Crime No.8/2020 on the file of the respondent police, seeks bail.
2. The counsel for the petitioner and the CPP were heard through Video Conference.
3. Learned counsel for the petitioner submits that the alleged occurrence took place in the year 2019. The petitioner has been falsely implicated in this case in order to close the pending case. He is in custody for about three weeks and prays for bail.
4. On the other hand, the learned CPP submits that it is a case of theft of goods during transit in the goods carriage by breaking open the same. With great difficulty, the accused has been secured. He is native of Nagpur, Maharashtra State. In case of release, there is every chance for absconding and seriously objects granting bail.
5. On perusal of the C.D., it appears the petitioner and others entered into the luggage van by breaking open the same and stolen some of the parcels containing cloths and it has been investigated. At last, after nearly 2 years, the present petitioner was secured and remanded to custody. Investigation is at the budding stage. Two other accused involved in the offence not yet arrested. They are at large. Petitioner is native of Nagpur. There is

every chance for absconding. Considering the nature of offence and short duration of custody, this court is not inclined to grant bail.

6. Petition is dismissed.

Delivered by me today.

ss

**Principal Sessions Judge**

IN THE COURT OF SESSIONS AT CHENNAI

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

**Wednesday, the 18<sup>th</sup> day of August, 2021.**

**Crl.M.P.No.13802/2021**

**and**

**Crl.M.P.No.13891/2021**

**(Intervene Petition)**

**in**

**F-2, Egmore P.S. Crime No.574/2021**

1. Mahalingam
2. Sathish Kumar
3. Shiny
4. Manikandan
5. Magesh Kumar

.. Petitioners/Accused

Vs.

State Rep. by  
The Inspector of Police,  
F-2, Egmore Police Station,  
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing, upon hearing the counsel for the petitioner M/s.T.V.Somasundaram, U.Yuvaraj, A.Vinoth Kumar and P.Praveen Kumar and CPP for respondent and M/s.Praveen Alexander, Sathish Kumar and Rebecca, Counsel for the intervener, this Court delivered the following :

**ORDER**

1. The petitioners, who apprehend arrest by the respondent police for the alleged offences punishable u/s 147, 294(b), 452 and 506(ii) of IPC and Sec.3 of TNPPDL Act, 1992 in Crime No.574/2021 on the file of the respondent police, seek anticipatory bail.

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

3. Learned counsel for the petitioners submits that the defacto complainant is none other than the elder brother of the 1<sup>st</sup> petitioner. There was property dispute and pendency of civil case between them. On 9.8.2021, the 1<sup>st</sup> petitioner's son Nirmal Kumar died due to brain tumor. There was some commotion and quarrel between the neighbouring defacto complainant. An exaggerated complaint has been given and the 1<sup>st</sup> petitioner has to perform the last rite of his son without any threat and prays for granting anticipatory bail.

4. On the other hand, the learned CPP submits that due to previous enmity, the accused entered into the house of the defacto complainant, ransacked the house and caused damage to the property. Thus, he seriously objects granting anticipatory bail.

5. The defacto complainant also filed intervene petition and submits the photographs of the damage caused to the defacto complainant's house. According to defacto complainant, the damage is around Rs.2 lakhs and the counsel appearing for the intervener seriously objects granting anticipatory bail stating that the petitioners ransacked the house of the defacto complainant out of grudge.

6. On perusal of the records and facts of the case, it appears there was previous enmity between the defacto complainant and 1<sup>st</sup> petitioner's family. There is a civil dispute also between them. The defacto complainant constructed a new house adjacent to the house of the 1<sup>st</sup> petitioner. There was some misunderstanding between them, leading to civil litigation. Meanwhile, the 1<sup>st</sup> petitioner's son Nirmal Kumar died due to brain tumor. There was chances for commotion due to comments made by the defacto complainant's family over the death of the 1<sup>st</sup> petitioner's son. The 1<sup>st</sup> petitioner's son lost his son on 9.8.2021. He has to attend the rituals relating to the death of his son. The other petitioners are close relatives of the 1<sup>st</sup> petitioner. Considering all those circumstances and alleged damage caused to the property of the defacto complainant, this court is inclined to grant anticipatory bail with condition to deposit Rs.25,000/- each.

7. 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 of receipt of a copy of this order, before the XIV Metropolitan Magistrate, Chennai on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- each (Rupees Ten Thousand only) with two sureties each for a likesum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned 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 deposit a sum of Rs.25,000/- each (Rupees twenty five thousand only) to the credit of the Crime No.574/2021 before the said court and the final

order in respect of the amount will be passed at the end of the criminal proceedings by the trial court.

[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.

[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 Supreme Court in P.K. Shaji Vs. State of Kerala [(2005) AIR SCW 5560].

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

Delivered by me today.

**Principal Sessions Judge**

Copies to:

1. The XIV Metropolitan Magistrate, Chennai.
2. CPP, Chennai.
3. The Inspector of Police, F-2, Egmore Police Station, Chennai.

SS

CrI.M.P.No.13802/2021

IN THE COURT OF SESSIONS AT CHENNAI

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

**Wednesday, the 18<sup>th</sup> day of August, 2021**

**Crl.M.P.No.13779/2021**

**and**

**Crl.M.P.No.13892/2021**

**(Intervene Petition)**

**in**

**CCB Crime No.345/2020**

S. Senthil @ Manikandan

.. Petitioner/Accused

Vs.

State Rep. by  
The Inspector of Police,  
CCB Team-II, EDF-1,  
1<sup>st</sup> Floor, Room No.1C,  
Commissioner Office, Vepery,  
Chennai – 600 072.

..Respondent/Complainant

This petition is coming on this day before me for hearing, upon hearing M/s.P.Pugalthi, S.Nadhiya and M.Ezhilarasu, Counsel for the petitioner and of CPP for the respondent and of M/s.M.Velmurugan, Girija Velmurugan, K.S.Elangovan, R.N.Kasivishwanathan and Sriram.V, this Court delivered the following

**ORDER**

1. The petitioner, who was arrested on 23.7.2021 for the offences punishable under Section 406, 420 and 506(i) of IPC in Crime No.345/2020 on the file of the respondent police, seeks bail.

2. The counsel for the petitioner, counsel for intervener and the CPP were heard through Video Conference.

3. Learned counsel for the petitioner submits that the petitioner purchased some goods from the defacto complainant on credit basis. There was some misunderstanding over the goods supplied. There were some amount due to the defacto complainant. The quantum is in dispute. The dispute is purely civil in nature relating to commercial transaction. It has been converted into criminal offence and he has been arrested on



23.7.2021. Since then he is in custody. His wife, who was arrested already, granted bail by the Hon'ble High Court and prays for bail.

4. On the other hand, the learned CPP objects granting bail stating that the amount involved is nearly Rs.80 lakhs.

5. The counsel appearing for the intervener submits that the petitioner's wife was granted bail only on considering the gender and specifically it has been observed by the Hon'ble High Court as if the order shall not be taken as aid by the other co-accused for the purpose of seeking bail.

6. Deliberately the petitioner and others cheated the defacto complainant under the guise of exporting goods to some other country, but, in fact it is not so. Considering the objection raised and the observation made by the Hon'ble High Court and short duration of custody and the amount alleged to have been cheated by the petitioner, this court is not inclined to grant bail at present.

7. Petition is dismissed.

Delivered by me today.