

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Monday, the 20th day of September, 2021

Crl.M.P.No.15614/2021

in

V.5, TIW-Thirumangalam P.S. Crime No.172/2021

P. Jayabalan

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
V.5, TIW-Thirumangalam Police Station,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing, upon hearing Dr.S.N.Amarnath, Counsel for the petitioner and the CPP for respondent, this Court delivered the following :

ORDER

1. The petitioner, who was arrested on 3.9.2021 for the offences punishable under Section 279 and 308 of IPC in Crime No.172/2021 on the file of the respondent police, seek 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 a Diabetic patient taking treatment for Diabetes. He is in custody from 3.9.2021 and hence prays for granting bail.

4. On the other hand, the learned CPP submits that it is a case of 308 IPC. Victim sustained grievous injury of fracture. The petitioner under the influence of alcohol drove the vehicle in a rash and negligent manner and dashed against the two wheeler and a car in a city traffic that too, noon and objects granting bail.

5. On perusal of the Case Diary, it appears, the victim by name Kumar, Police Official sustained fracture due to the accident. The petitioner was subjected to medical examination and he has been found drunk as per the Drunkenness Certificate available in the Case Diary. The medical records produced by the petitioner does not disclose any

serious illness involving any immediate treatment. Considering the factum of drunken driving, this court is not inclined to grant bail to the petitioner at present.

6. 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 20th day of September, 2021

Crl.M.P.No.16363/2021

in

R.8, Vadapalani P.S. Crime No.706/2021

Kayatri

.. Petitioner/Accused

Vs.

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

..Respondent/Complainant.

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

ORDER

1. The petitioner, who was arrested on 1.9.2021 for the offences punishable under Section 406, 420 of IPC in Crime No.706/2021 on the file of the respondent police, seek 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 a woman. She is in custody for the past 20 days. Further, he submits that she had some acquaintance with one Younis Khan. The cars which were taken on lease from the defacto complainant were handed over to said Younis Khan and subsequently, the said Younis Khan's whereabouts are not known to the petitioner. She had not committed any offence and hence prays for granting bail.

4. On perusal of the Case Diary, it appears the petitioner is the named accused. Only at the request of the petitioner, the defacto complainant and others handed over a Mahindra Xylo Car and two Toyota Innova Cars for lease and subsequently failed to return the vehicles as well as lease amount. From the year 2018 onwards, the whereabouts of the vehicles entrusted are not known. Till date, the vehicles are not recovered. Investigation is

at the budding stage. Considering all these circumstances and gravity of offence, this court is not inclined to grant bail to the petitioner at present.

6. 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 20th day of September, 2021**

Crl.M.P.No.16364/2021

in

C.3, Seven Wells P.S. Crime No.655/2021

Murali Ayyar

.. Petitioner/Accused

Vs.

State Rep. by
The Sub-Inspector of Police,
C.3, Seven Wells Police Station,
Chennai.

..Respondent/Complainant.

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

ORDER

1. The petitioner, who was arrested on 5.8.2021 for the offences punishable under Section 419, 420 of IPC in Crime No.655/2021 on the file of the respondent police, seek 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 in custody from 5.8.2021. He is prepared to deposit the amount alleged to have been cheated. He is ready to furnish sureties as required by this Court and prays for granting bail.

4. On the other hand, learned CPP submits that the petitioner is a Native of Andhra Pradesh having so many cases of similar nature against him. Learned CPP further submits that the address given by the petitioner at the time of enquiry is found to be a fake one and thus seriously objects granting bail.

5. On perusal of the Case Diary, it appears the petitioner introduced himself as Sankaran and lured the defacto complainant to part with Rs.43,000/- under the guise of giving new currency in the bank and cheated him. On receiving the sum of Rs.43,000/-, the petitioner left the scene of occurrence clandestinely and cheated the defacto complainant.

On perusal of the Confession Statement recorded from the accused, it appears, he had number of cases of similar nature against him. Considering the bad antecedents of the petitioner, this court is not inclined to grant bail to the petitioner at present.

6. 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 20th day of September, 2021

Crl.M.P.No.15482/2021

And

Crl.M.P.No.15998/2021

(intervene petition)

in

E.1, Mylapore P.S., Crime No.4/2020

R.M. Swamy Jayam @ R. Munusamy Jayam

.. Petitioner/Accused.

Vs.

State Rep. by
The Inspector of Police,
E.1, Mylapore Police Station,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing, upon hearing M/s. T.K.S. Gandhi, M. Arun, S. Selvaraj, Counsel for the petitioner and of CPP for the respondent and of M/s. Om Sai Ram Law Firm and S.T. Raja, Counsel for the intervener, this Court delivered the following :

ORDER

1. The petitioner, apprehending arrest at the hands of the respondent police, for the alleged offences u/s.406, 420 IPC in Cr.No.4/2020 on the file of the respondent police, seeks anticipatory bail.
2. The counsel for the petitioner, learned counsel for the intervener and the CPP were heard through Video Conference.
3. Learned counsel for the petitioner submits that there was some transaction between the defacto complainant and the petitioner in purchasing the property and selling the property. Sale Deed was executed by the defacto complainant in the year 2016. Now, the complaint has been given as if entire consideration has not been passed to the defacto complainant, on the other hand, the petitioner assured to give a flat in some other project and cheated him. He further submits that for the transaction of the year 2016, complaint

was given in the year 2020 and submits that a civil transaction has been converted into a criminal transaction and prays for granting anticipatory bail.

4. On the other hand, learned counsel appearing for the intervener submits that it is a grave case of cheating. Having purchased the property at the cost of Rs.40 lakh from the defacto complainant, the petitioner paid only Rs.8,74,500/- and for the balance of Rs.31,25,500/-, he assured to give a flat in Okkiam, Thoraipakkam and that too had not been given and seriously objects granting anticipatory bail.

5. Though the case was registered in the year 2020, so far, the prosecution has not chosen to arrest the petitioner. It appears on several occasions, the petitioner and the defacto complainant appeared before the Investigating Officer for enquiry and there was some understanding for returning the amount also. Prima facie, the alleged cheating is in the year 2016. Why the defacto complainant waited for this much of time, there is no proper explanation. The same would go to probabilize the the alleged civil nature of the dispute between the parties. Hence, this court is inclined to grant anticipatory bail to the petitioner on condition.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned XVIII Metropolitan Magistrate, Chennai on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (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 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 appear before the respondent police daily at 10.30 a.m. until further orders.

[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 petitioner 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 petitioner thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

Delivered by me today.

Principal Sessions Judge

Copies to:

1. Learned XVIII Metropolitan Magistrate, Chennai.
2. CPP, Chennai.
3. The Inspector of Police, E.1, Mylapore Police Station, Chennai.

nmk

CrI.M.P.No.15482/2021

IN THE COURT OF SESSIONS AT CHENNAI

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

Monday, the 20th day of September, 2021

Crl.M.P.No.16367/2021

in

P.6, Kodungaiyur P.S. Cr.No.2179/2021

Sriram

.. Petitioner/Accused.

Vs.

State Rep. by
The Inspector of Police,
P.6, Kodungaiyur Police Station,
Chennai.

.. Respondent/Complainant.

This petition is coming on this day before me for hearing, upon hearing M/s. A. Umar Farook Ali, M. Elumalai, S. Vijaykumar, S.Y. Syed Parvez, Counsel for the petitioner and of CPP for respondent, this Court delivered the following :

ORDER

1. The petitioner, who was arrested on 18.8.2021 for the offence punishable under Section 454 and 380 of IPC in Cr.No.2179/2021 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 innocent. He is noway connected with the alleged offence. He has been falsely implicated in this case. The petitioner is aged 19 years and he has no bad antecedent. Property has been recovered from the co-accused alone. The petitioner is in custody from 18.8.2021 and hence prays for granting bail.
4. On the other hand, learned CPP submits that this petitioner along with other accused break open the lock and trespassed into defacto complainant's house and committed theft of gold jewels weighing 12 sovereigns(approximately). He seriously objects granting bail stating that investigation is pending.

5. Considering the nature of offence, the value of the property involved in this case and the objection made by learned CPP, 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 20th day of September, 2021

CrL.M.P.No.16369/2021

in

P.2, Otteri P.S. Crime No.1304/2021

1. Karthick
2. Thamilvanan @ Kili
3. Hendry Kumar

.. Petitioners/Accused

Vs.

State Rep. by
The Inspector of Police,
P.2, Otteri Police Station,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing, upon hearing M/s. M. Ramesh Babu, M. Dharmangadaiah, K. Senthil Kumar, K. Dinesh Kumar, Counsel for the petitioners and of CPP for respondent, this Court delivered the following :

ORDER

1. The petitioners, who were arrested on 4.9.2021 for the offences punishable under Section 341, 294(b), 392, 397 and 506(ii) IPC in Crime No.1304/2021 on the file of the respondent police, seeks bail.

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

3. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in this case. They are no way connected with the alleged offence. Co-accused was already enlarged on bail. The petitioners are in custody from 4.9.2021 and prays for granting bail.

4. On the other hand, learned CPP submits that these petitioners along with another accused waylaid the defacto complainant and demanded money, that on his refusal, at knife point, the accused robbed Rs.400/- from him. snatched their motor bikes (2 nos) and escaped from the spot. He further submits that the 3rd petitioner is having 1 previous case and the petitioners 1 and 2 had no previous case.

5. The petitioners are in custody for the past 17 days. According to learned CPP, the petitioners 1 and 2 have no previous case and the 3rd petitioner is having only one previous case. It is represented by learned counsel for the petitioner that co-accused was granted bail. Considering the above facts and duration of custody, this court is inclined to grant bail to the petitioners subject to condition.

6. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties each for a likesum to the satisfaction of the learned X Metropolitan Magistrate, Chennai and on further condition that

(a) 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.

(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 above petitioners in accordance with law as if the conditions have been imposed and the above 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 petitioners thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

Delivered by me today.

Principal Sessions Judge

Copy to :

1. The X Metropolitan Magistrate, Chennai.
2. The Superintendent, Central Prison, Puzhal, Chennai.

nmk

CrI.M.P.No. 16369/2021

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Thiru R. Selvakumar, B.A., M.L.,
Principal Sessions Judge
Monday, the 20th day of September, 2021**

Crl.M.P.No.16370/2021

in

CBCID, OCU-II Cr.No.2/2020

Sriharsha @ Harsha

.. Petitioner/Accused.

Vs.

State Rep. by
Deputy Superintendent of Police,
CBCID, OCU-II,
Chennai.

.. Respondent/Complainant.

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

ORDER

1. The petitioner, who was arrested on 2.8.2021 for the offence punishable under Section 419, 420, 465, 468, 417 r/w.120B of IPC in Cr.No.2/2020 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 innocent. He is noway connected with the alleged offence. He has been falsely implicated in this case. Co-accused were granted bail by the Hon'ble High Court. The petitioner is in custody from 2.8.2021 and hence prays for granting bail.
4. On the other hand, learned CPP submits that this petitioner along with other accused colluded with each other created forged documents and secured MBBS Seat for A1/Dhanushkumar who applied for the NEET (UG) Examination, 2018 by way of impersonation and committed cheating. Learned CPP further submits that the petitioner received Rs.25 lakh from A2/father of A1 and arranged an impersonator to write NEET

Exam on behalf of A1. Investigation is pending and the other accused who involved in this case are yet to be secured. The petitioner is the main accused, he was arrested only on 2.8.2021. He belongs to State of Karnataka and there is every chance of his absconding if he is released on bail and thus seriously objects granting bail.

5. Considering the gravity of offence, the fact that investigation is pending and the objection made by learned CPP, 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 20th day of September, 2021

Crl.M.P.No.16249/2021

in

N-2, Kasimedu P.S. Cr.No.672/2021

1. Ramesh @ Kattumara Ramesh
2. Muraash

.. Petitioners/Accused.

Vs.

State Rep. by
The Inspector of Police,
N-2, Kasimedu Police Station,
Chennai.

..Respondent/Complainant.

The above petition is coming on this day before me for hearing, upon hearing M/s.M.Iliyas and A.Venkateswara Babu, Counsel for the petitioner and of CPP for respondent, this Court delivered the following :

ORDER

1. The petitioner, who was surrendered and remanded on 8.9.2021 for the offences punishable under Section 147, 294(b), 324, 307 and 506(ii) of IPC and u/s 4 of TN Prohibition of Harassment of Women Act, 2002 in Cr.No.672/2021 on the file of the respondent police, seek 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 13 days. There is a partition dispute between the defacto complainant and petitioner's family, over which, an exaggerated complaint has been given and prays for bail.

4. On perusal of the A.R. copy produced by the CPP, it appears the injuries inflicted are simple in nature. The F.I.R. itself would go to show the existence of civil dispute between the parties. The petitioner is in custody for the past 13 days. Considering all those circumstances, this court is inclined to grant bail.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a likesum to the satisfaction of the learned XVI Metropolitan Magistrate, Chennai and on further condition that

(a) 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 appear before the respondent police daily at 10.30 a.m. until further orders.

(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 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 petitioner thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

Delivered by me today.

Principal Sessions Judge.

Copy to :

1. The learned XVI Metropolitan Magistrate, Chennai.
2. The Superintendent, Central Prison, Puzhal, Chennai.

ss

Crl.M.P.No.16249/2021

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Thiru R. Selvakumar, B.A., M.L.,
Principal Sessions Judge
Monday, the 20th day of September, 2021.**

Crl.M.P.No.16288/2021

in

Crl.M.P.No.10485/2021

in

Cr.No.59/2021

Balaji

.. Petitioner/Accused.

Vs.

State Rep. by
The Inspector of Police,
R-3, Ashok Nagar Police Station,
Chennai.

..Respondent/Complainant.

The above petition is coming on this day before me for hearing, upon hearing M/s.V.Karthick, Counsel for the petitioners and of CPP for respondent, this Court delivered the following :

ORDER

1. The petitioner seeks extension of time for furnishing sureties in the order passed by this court in Crl.M.P.No.10485/2021, dated 26.5.2021.

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

3. The petitioner was granted bail by this court in Crl.M.P.No.10485/2021, dated 26.5.2021, on own bond with condition that the shall execute bond with two sureties each for a sum of Rs.20,000/- before the concerned Magistrate within 10 days after regular functioning of the court and to deposit Rs.5,000/- before the District Legal Services Authority, Chennai within 10 days after regular functioning of the court along with other conditions.

4. Learned counsel for the petitioner submits that due to threat of life, the petitioner has not surrendered before the concerned Magistrate within time and prays for extension of time.

5. Learned CPP has not raised any serious objection.

6. The petitioner was already granted bail on own bond. Now, he seeks for extension of time for furnishing sureties. Considering the reasons stated by the petitioner, this court is inclined to grant extension of time for one week from today.

7. (i) Petition is allowed.

(ii) One week time from today is granted to surrender and furnish sureties before the Magistrate.

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**

Monday, the 20th day of September, 2021

Crl.M.P.No.15831/2021

in

S.C.No.109/2017

in

H.6, R.K. Nagar P.S. Crime No.288/2015

Vijay @ Viji @ Anjappa

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
H.6, R.K. Nagar Police Station,
Chennai.

..Respondent/Complainant

This petition is coming on this day before me for hearing, upon hearing M/s. M. Illiyas, A. Venkateswara Babu, counsel for the petitioner and of CPP for the respondent, this Court delivered the following

ORDER

1. The petitioner, who was arrested on 23.8.2021 on execution of N.B.W. for the offences punishable under Section 147, 148, 120(B), 341, 294(b), 323, 324, 307 r/w. 149 IPC in S.C.No.109/2017 on the file of this Court in Crime No.288/2015 on the file of 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 it is a case of jumped bail. The petitioner was absent on the hearing 6.8.2021 and N.B.W. was issued against him. The same was executed on 23.8.2021 and he is in custody since then and prays for bail.

4. On the other hand, the learned CPP objects granting bail stating that it is a routine affair of the petitioner absenting himself for the hearing, which leads to issue of N.B.W. With great difficulty, it has been executed.

5. On perusal of the records, though the petitioner stated in the petitioner as if N.B.W. was issued on 6.8.2021, the case docket-entries would go to show issuance of

N.B.W. on 26.8.2019. So, the very factum of absence of the petitioner only on the hearing 6.8.2021 is nothing but false. For more than two years, he was at large and thus, this court is not inclined to grant bail at present.

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**

Monday, the 20th day of September, 2021

Crl.M.P.No.15849/2021

in

H-5, New Washermenpet P.S. Crime No.4331/2020

Prasana @ Prasana Kumar

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
H-5, New Washermenpet Police Station,
Chennai.

..Respondent/Complainant

This petition is coming on this day before me for hearing, upon hearing M/s.M.Kaveri Selvam and R.Jayakumar, Counsel for the petitioner and CPP for the respondent, this Court delivered the following

ORDER

1. The petitioner, who was arrested on 16.8.2021 for the offences punishable under Section 341, 294(b), 397, 506(ii) of IPC in Cr.No.4331/2020 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 petitioner was unable to comply with the condition due to threat of the police officers in remanding him in some other case. Because of such fear, he failed to appear as directed by this court, which resulted in cancellation of bail. Now, he is in custody from 16.8.2021 and prays for bail.
4. On the other hand, the learned CPP submits that for non-complying the condition the bail was cancelled by the learned XV Metropolitan Magistrate. He is not a law abiding citizen and objects granting bail.
5. The petitioner was extended bail by this court. It has not been properly utilised by the petitioner by complying the condition. Thereafter, the bail was cancelled by the learned XV Metropolitan Magistrate. As against which, the petitioner preferred a revision. Meanwhile, he has surrendered himself on 16.8.2021 and not pressed the revision. However, the petitioner is in custody only for the past 35 days. Considering the short

duration of custody and the failure of the petitioner in complying with the condition on earlier occasion, 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**

Monday, the 20th day of September, 2021

Crl.M.P.No.16247/2021

in

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

Billu @ Francis @ 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.A.Thirumaran, E.Ashok Kumar, G.Vinodhkumar and A.Joice Jegadeshwari, 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 the petitioner is in custody from 2.9.2021 for more than 19 days and prays for bail.
4. On the other hand, the learned CPP submits that the defacto complainant's motor-cycle was burnt into ashes and seriously objects granting bail.
5. As per the F.I.R., in the occurrence, the motor-cycle bearing Registration No.TN-06/Y-1686 was burnt. Dwelling house had not been set on fire as per the admitted version in the F.I.R. So, prima facie, Sec.436 IPC is not attracted and only the offence u/s 427 of IPC is attracted. Considering the value of the vehicle damaged, this court is inclined to grant bail on condition to deposit Rs.20,000/-

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a likesum to the satisfaction of the learned XVIII Metropolitan Magistrate, Chennai and on further condition that

(a) 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) petitioner shall deposit a sum of Rs.20,000/- (Rupees twenty thousand only) to the credit of the Crime No.349/2021 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.

(c) the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders.

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial.

(e) the petitioner shall not abscond either during investigation or trial.

(f) 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]**.

(g) If the petitioner thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

Delivered by me today.

Principal Sessions Judge.

Copy to :

1. The learned XVIII Metropolitan Magistrate, Chennai.
2. The Superintendent, Sub-Jail, Poonamallee.

ss

Crl.M.P.No.16247/2021

IN THE COURT OF SESSIONS AT CHENNAI

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

Monday, the 20th day of September, 2021

Crl.M.P.No.15848/2021

in

R.R.No.23/2021

G.Sivakumar

.. Petitioner/Accused.

Vs.

State by,
The Superintendent of GST & Central Excise,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing, upon hearing M/s.S.Ravi, V.Vijayakumar, A.R.Amirtha Bagavath Sihi, A.Priyanka and V.Hemamalini, Counsel for the petitioner and of M/s.N.P.Kumar, Special Public Prosecutor for respondent, this Court delivered the following :

ORDER

1. The petitioner, who was arrested on 24.8.2021 for the offences punishable under Section 132(1)(b) and 132(1)(c) of CGST Act, 2017 in R.R.No.23/2021 on the file of the respondent police, seeks bail.

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

3. Learned counsel for the petitioner submits that a false case has been registered against the petitioner with inflated figures. According to the prosecution, the alleged tax evasion is Rs.5.11 crores approximately. After arrest, the petitioner has paid Rs.78 lakhs. The calculation of the authorities is only approximate. If properly calculated, it may fall below Rs.5 crores, a bailable offence only made out. The accused is in custody from 24.8.2021. He had done the business bonafidely. He has not floated any firms in order to do bill trading and prays for bail.

4. On the other hand, the learned Special Public Prosecutor submits that the petitioner was a proprietor of the firm in the name and style of "M/s.Srinivasa Traders", doing lawful business of scrap. In fact, he was running the other firms, namely, S.R.Steels, Sri Kamatchi Traders, Aswin Raja Traders and other firms in the name of his close relatives. The Proprietors, as per records of the said firms, have not at all doing business

and everything run by the petitioner in order to facilitate tax evasion. Apart from that, there are invoices from various fictitious firms and submitting the same, the petitioner availed input tax credit to the tune of Rs.5.11 crores. Investigation is at the budding stage and objects granting bail.

5. On perusal of the papers, it appears, there was a statement given by the petitioner during the course of enquiry. Whether the said statement so recorded is admissible or not, is the point for trial. The Proprietor of Aswin Raja Traders Saranya, Proprietor of S.R.Steels Vijayakumar are close relatives of the petitioner. They were not at all involved in the business. In fact, the present petitioner was handling all the operations of sales and purchases. On the basis of the statements of the close relatives, the petitioner was implicated in this crime. Investigation is at the budding stage. Considering the short duration of custody and nature of offence made out against the petitioner, this court is not inclined to grant bail.

6. Petition is dismissed.

Delivered by me today.

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Monday, the 20th day of September, 2021.

Crl.M.P.Nos.10801, 10803 and 10977 / 2021

and

Crl.M.P.Nos.11386, 11036 and 11598 / 2021

(Intervene Petitions)

in

P-6, Kodungaiyur P.S. Cr.No.215/2021

Ravikumar

.. Petitioner in

Crl.M.P.No.10801/2021 / Accused

J.Shajahan

.. Petitioner in

Crl.M.P.No.10803/2021 / Accused

M.Arumugam @ Ramkumar

.. Petitioner in

Crl.M.P.No.10977/2021 / Accused

Vs.

State Rep. by

The Inspector of Police,

P-6, Kodungaiyur Police Station,

Chennai.

..Respondent/Complainant.

in all the petitions.

For petitioner in Crl.M.P.No.10801/2021 – M/s.A.Saranraj, K.S.Raju and S.Saravanan.

For petitioner in Crl.M.P.No.10803/2021 – M/s.A.Syed Kaleesha, Rahaman Sheriff and
H.Mubena Almas.

For petitioner in Crl.M.P.No.10977/2021 – M/s.A.Jayaraman

For intervenor in all the petitions – M/s..Senthil Kumar, K.S.Thiyagarajan and S.Sathish
Kumar.

For respondent in all the petitions – City Public Prosecutor.

These petitions coming on this day before me for hearing, upon hearing the above said counsels, this Court delivered the following :

COMMON ORDER

1. The petitioners, who apprehend arrest by the respondent police for the alleged offences punishable u/s 406 and 420 of IPC in Cr.No.215/2021 on the file of the respondent police, seek anticipatory bail.

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

3. Learned counsels for the petitioners submits that an exaggerated complaint has been given by the defacto complainant implicating the petitioners. In fact, the defacto complainant moved the petitioners for loan of Rs.5 crores. Though for arranging the said loan the petitioners received some amount, they have returned the same since they were unable to arrange the loan. Even after payment of the amount so received, a false complaint has been given and prays for granting anticipatory bail.

4. On the other hand, the learned counsel for the intervenor submits that the defacto complainant is a trust by name "Shri Ramakrishna Paramahamsar Vivekanandha Vidhyashram Education Trust. They have planned to develop a school. In order to develop a new school, they are in need of loan to the extent of Rs.5 crores. When they were approached the bank for loan, the present petitioners approached them and assured that they will arrange the loan of Rs.5 crores on reasonable terms. As a commission, they have received Rs.25 lakhs. After receiving the same, they failed to honour the commitment. An educational trust has been cheated by the petitioners as a financier, agent etc. and since the amount has not been received, he objects granting anticipatory bail.

5. The learned CPP objects granting anticipatory bail stating that it is a grave case of cheating.

6. The matter has been referred to Mediation for settlement. In spite of mediation efforts, the accused / petitioners not chosen to set right the issue. Though there are admissions of receipt of amount under the guise of commission, the petitioners not chosen to repay the same. Considering such conduct, this court is not inclined to grant anticipatory bail.

7. Petitions are dismissed.

Delivered by me today.

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Monday, the 20th day of September, 2021.

Crl.M.P.No.16372/2021

in

C.A.No.148/2021

in

C.C.No.2248/2017

(on the file of the learned VII Metropolitan Magistrate, Chennai)

K.B.Rajendiran

...Petitioner/Appellant/Accused

Vs.

Head Clerk incharge Thiru.N.Velmurugan,

19th Additional City Civil Court,

Singaravelan Maaligai,

Chennai-600001.

... Respondent/Respondent/Complainant

This petition is coming on this day before me for hearing, upon hearing the petitioner, this Court delivered the following,

ORDER

1. The petitioner was heard.

2. The petitioner seeks suspension of sentence pending disposal of the appeal.

3. The Petitioner / Appellant herein is the accused in C.C.No.2248/2017 on the file of the learned VII Metropolitan Magistrate, Chennai. On 4.9.2021 judgment was pronounced in the above case and the petitioner was convicted u/s 345(3) Cr.P.C. r/w 228 of IPC and sentenced to undergo three months S.I. and to pay Rs.500/- as fine, in default, to undergo one week S.I.

4. Learned counsel for the petitioner would submit that the petitioner has fair chance of success in the appeal. Hence, prays to suspend the sentence.

5. This court has also perused the memorandum of appeal and the submission made by the petitioner's side. The sentence has been suspended by the trial court for 30 days. The petitioner was on bail throughout trial. As already stated supra, the Petitioner / Appellant / Accused was ordered to undergo simple imprisonment for a period of three months and in these circumstances, it may not be right to hold that the petitioner has to serve the sentence

during the pendency of the appeal. Considering the above facts, this Court is inclined to suspend the sentence.

6. Accordingly, the sentence of imprisonment imposed on the petitioner by the lower Court alone is hereby suspended till the disposal of the appeal and the petitioner is ordered to be enlarged on bail on his executing a bond for Rs.10,000/- with two sureties each for a likesum to the satisfaction of the learned VII Metropolitan Magistrate, Chennai.

7. The appeal has been made over to I Additional Sessions Court, Chennai.

8. The appeal is posted to 20.10.2021.

Delivered by me today in the open court.

Principal Sessions Judge.

Copy to

The VII Metropolitan Magistrate, Chennai.

IN THE COURT OF SESSIONS AT CHENNAI

Present: **Thiru.R.Selvakumar, B.A., M.L.,**
Principal Sessions Judge
Monday, the 20th day of September, 2021.

CrI.M.P.No.16411/2021

in

CrI.R.C.No.79/2021

against

M.P.No.43/2021

in

LIR No.113/Sec.Pro/DCP WPT/2021

in

H-1, Washermenpet P.S. SL.No.41/2021 U/s 110 of Cr.P.C.

Vinith @ Babllu

... Petitioner / Petitioner / Respondent /
Accused

Vs.

1. The Executive Magistrate cum Deputy Commissioner of Police, Washermenpet, Chennai.
2. The State represented by
Inspector of Police,
H-1, Washermenpet Police Station,
Chennai.

.. Respondents/Respondents/Petitioners/
Complainant

This petition is coming on this day before me for hearing, upon hearing the counsel for the petitioner M/s.R.Mukesh Kannah, Y.Selvaraj, M.Nithiyavel and S.Vignesh and upon perusing the records, this Court delivered the following:

ORDER

1. The petitioner in the above case seeks suspension of sentence pending disposal of the revision petition.
2. The counsel for the petitioner was heard.
3. The Petitioner herein is the accused in M.P.No.43/2021 in LIR No.113/Sec.Pro/DCP WPT/2021 in H-1, Washermenpet P.S. SL.No.41/2021 U/s 110 of Cr.P.C. on the file of the 1st respondent and he was convicted and sentenced to undergo imprisonment for 294 days for violation of bond executed u/s 110 of Cr.P.C. as per the order dated 2.9.2021.

4. Learned counsel for the petitioner would submit that the petitioner has fair chance of success in the revision. Hence, prays to suspend the sentence.

5. This Court has also perused the revision petition and the submission made by the petitioner's counsel. The revision has been preferred without any delay.

6. The learned counsel for the petitioner would further submit that the accused will not abscond and would be available to undergo the sentence, if the appellate Court confirms the order passed by the Executive Magistrate. As already stated supra, the Petitioner / Accused was ordered to undergo imprisonment for a period of 294 days and in these circumstances, it may not be right to hold that the petitioner has to serve the sentence during the pendency of the revision.

7. Hence, the order passed by the 1st respondent / Executive Magistrate is hereby stayed till the disposal of the revision and the petitioner is ordered to be enlarged on bail on his executing a bond for Rs.10,000/- with two sureties each for a likesum to the satisfaction of the XV Metropolitan Magistrate, Chennai.

8. The Revision is made over to I Additional Sessions Court, Chennai.

9. The Revision is posted on 20.10.2021.

Delivered by me today in the open court.

Principal Sessions Judge.

Copy to :

1. The XV Metropolitan Magistrate, Chennai.
2. The Superintendent, Central Prison, Puzhal, Chennai.

ss

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Monday, the 20th day of September, 2021.

CrI.M.P.No.16419/2021

in

CrI.R.C.No.80/2021

against

M.P.No.42/2021

in

LIR No.79/Sec.Pro/DCP WPT/2021

in

H-1, Washermenpet P.S. SL.No.36/2021 U/s 110 of Cr.P.C.

Micheal

... Petitioner / Petitioner / Respondent
/Accused

Vs.

1. The Executive Magistrate cum Deputy Commissioner of Police, Washermenpet, Chennai.
2. The State represented by
Inspector of Police,
H-1, Washermenpet Police Station,
Chennai.

.. Respondents/Respondents/Petitioners/
Complainant

This petition is coming on this day before me for hearing, upon hearing the counsel for the petitioner M/s.R.Mukesh Kannah, Y.Selvaraj, M.Nithiyavel and S.Vignesh and upon perusing the records, this Court delivered the following:

ORDER

1. The petitioner in the above case seeks suspension of sentence pending disposal of the revision petition.
2. The counsel for the petitioner was heard.
3. The Petitioner herein is the accused in M.P.No.42/2021 in LIR No.79/Sec.Pro/DCP WPT/2021 in H-1, Washermenpet P.S. SL.No.36/2021 U/s 110 of Cr.P.C. on the file of the 1st respondent and he was convicted and sentenced to undergo imprisonment for 221 days for violation of bond executed u/s 110 of Cr.P.C. as per the order dated 2.9.2021.

4. Learned counsel for the petitioner would submit that the petitioner has fair chance of success in the revision. Hence, prays to suspend the sentence.

5. This Court has also perused the revision petition and the submission made by the petitioner's counsel. The revision has been preferred without any delay.

6. The learned counsel for the petitioner would further submit that the accused will not abscond and would be available to undergo the sentence, if the appellate Court confirms the order passed by the Executive Magistrate. As already stated supra, the Petitioner / Accused was ordered to undergo imprisonment for a period of 221 days and in these circumstances, it may not be right to hold that the petitioner has to serve the sentence during the pendency of the revision.

7. Hence, the order passed by the 1st respondent / Executive Magistrate is hereby stayed till the disposal of the revision and the petitioner is ordered to be enlarged on bail on his executing a bond for Rs.10,000/- with two sureties each for a likesum to the satisfaction of the XV Metropolitan Magistrate, Chennai.

8. The Revision is made over to I Additional Sessions Court, Chennai.

9. The Revision is posted on 20.10.2021.

Delivered by me today in the open court.

Principal Sessions Judge.

Copy to :

1. The XV Metropolitan Magistrate, Chennai.
2. The Superintendent, Central Prison, Puzhal, Chennai.

ss