

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Friday, the 3rd day of September 2021

Crl.M.P.Nos.14843 & 14847/2021

in

P.5, MKB Nagar P.S. Crime No.1004/2021

K. Gulam Moideen

.. Petitioner/Accused.
in Crl.M.P.No.14843/2021

1. Thameem Ansari
2. Mohammed Kasim

.. Petitioners/Accused
in Crl.M.P.No.14847/2021

Vs.

State Rep. by
The Inspector of Police,
P.5 MKB Nagar Police Station,
Chennai.

..Respondent/Complainant
in both the petitions

For petitioner : M/s. M.R. Mohammed Fazullulla, Sathish Kumar,
Advocates in Crl.M.P.No.14843/2021

For petitioners : M/s. G. Paul Einstein, M.S. Vincy Priscilla, V. Dhivya
Advocates in Crl.M.P.No.14847/2021

For Respondent : Learned City Public Prosecutor in both the petitions.

The above petitions are coming on this day before me for hearing, upon hearing the Counsel for the petitioners and of CPP for respondent, this Court delivered the following :

COMMON ORDER

1. The petitioners, who were arrested on 11.8.2021 for the offence punishable under Section 273, 328 IPC r/w. sec. 24(1) of COTP Act 2003 in Crime No.1004/2021 on the file of the respondent police, seeks bail.

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

3. Learned counsel appearing for the petitioners submits that the petitioners are innocent of the offence and they have not committed any offence as alleged by the prosecution. The petitioners have no bad antecedents. They are in custody from 11.8.2021 and prays for granting bail.

4. On the other hand, learned CPP submits that during vehicle check up by the respondent police, these petitioners were found in possession of 80 Kg of banned tobacco products and on enquiry the accused confessed that they purchased the tobacco products from Andhra Pradesh State for selling the same in occurrence place. He objects granting bail.

5. The petitioners are in custody for the past 24 days. The property involved in this case has been recovered and no one was hospitalized due to the consumption of contraband. The petitioners have no bad antecedent as reported by the learned CPP. Under such circumstances, considering the 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 learned X Metropolitan Magistrate, Chennai.
2. The Superintendent, Sub-Jail, Tirutani.

nmk

Crl.M.P.No.14843 and 14847 of 2021

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Thiru R. Selvakumar, B.A., M.L.,
Principal Sessions Judge
Friday, the 3rd day of September 2021**

Crl.M.P.No.14845/2021

in

S.C.No. 286/2013

(On the file of XIX Additional Sessions Judge, Chennai)

in

H-1, Washermenpet P.S. Crime No.140/2010

John Jaisingh

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
H-1, Washermenpet Police Station,
Chennai.

..Respondent/Complainant

This petition is coming on this day before me for hearing, upon hearing M/s. B. Shankar, Mohammed Aasif, V. Venkatesan, counsel for the petitioner and of CPP for the respondent, this Court delivered the following

ORDER

1. The petitioner, who was arrested on 21.12.2020 on execution of N.B.W. for the offences punishable under Section 452, 341, 302, 120(B) r/w 34 IPC in S.C.No. 286/2013 on the file of the learned XIX Additional Sessions Judge, Chennai, in Crime No.140/2010 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 N.B.W. was issued against the petitioner due to his non-appearance before the trial court. Due to Covid pandemic situation, this petitioner was unable to recall the warrant. His absence is neither wilful nor wanton. Hereinafter, the petitioner will regularly appear before the court and prays for granting bail.

4. Learned CPP submits that the petitioner is a habitual offender involved in several cases. In this case, NBW was issued against the petitioner on 10.1.2020 and the same was executed on 21.12.2020. After much effort, the petitioner was secured by the police. Now,

the case is at the stage of examination of witnesses. If the petitioner is released on bail, again, he will abscond and the case could not be proceeded further. Thus, he objects granting bail.

5. The petitioner is in custody for more than 8 months. According to learned CPP, trial has been commenced. Any how, considering the duration of custody, this court is inclined to grant bail to the petitioner subject to condition.

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(both of them must be the blood relatives of the petitioner) for a likesum to the satisfaction of the learned XIX Additional Sessions Judge, 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 said Court 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 above petitioner in accordance with law as if the conditions have been imposed and the above 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 XIX Additional Sessions Judge, Chennai.
2. The Superintendent, Central Prison, Puzhal, Chennai.

nmk Crl.M.P.No.14845/2021

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Thiru R. Selvakumar, B.A., M.L.,
Principal Sessions Judge
Friday, the 3rd day of September 2021**

CrI.M.P.No.14856/2021

in

K.11, CMBT P.S. Crime No.418/2021

Selvi

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
K.11, CMBT Police Station,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing, upon hearing M/s. S. Mohan Raj, V. Vinodha, Counsel for the petitioner and of CPP for respondent, this Court delivered the following :

ORDER

1. The petitioner, who was arrested on 25.7.2021 for the offences punishable under Section 379 IPC in Crime No. 418/2021 on the file of the respondent police, seeks bail.

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

3. Learned counsel for the petitioner submits that the petitioner is innocent of the offence. She has nothing to do with the alleged offence. False case has been foisted on her with an ulterior motive. The petitioner has no bad antecedent. She is in custody from 25.7.2021 and prays for granting bail.

4. On the other hand, learned CPP submits that when the complainant family were stayed in the waiting hall at Koyambedu bus stand, this petitioner stolen away the hand bag which contains two chargers, cash Rs.3000/- and 6 grams of gold Mangal Sutra. Property has been recovered from the accused. He objects granting bail stating that earlier petition was dismissed on 18.8.2021.

5. The petitioner has been in custody for the past 41 days. Entire property has been recovered and no previous case is reported against the petitioner. Considering the

above aspects and duration of custody, this court is inclined to grant bail to the petitioner subject to condition.

6. Accordingly, the petitioner is ordered to be released on bail on her 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 V 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 above petitioner in accordance with law as if the conditions have been imposed and the above 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 V Metropolitan Magistrate, Chennai.
2. The Superintendent, Central Prison(women),Puzhal, Chennai.

nmk

Crl.M.P.No.14856/2021

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Thiru R. Selvakumar, B.A., M.L.,
Principal Sessions Judge
Friday, the 3rd day of September 2021**

CrI.M.P.No.15046/2021

in

V.1, Villivakkam P.S. Crime No.105/2021

Ambika

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
V.1, Villivakkam Police Station,
Chennai.

.. Respondent/Complainant.

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

ORDER

1. The petitioner, who was arrested on 4.8.2021 for the offence punishable under Section 380, 448, 506(i) of IPC @ Sec.380, 448, 506(i), 120B of IPC and Sec.4 of Women Harassment Act in Crime No.105/2021 on the file of the respondent police, seeks bail.

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

3. Learned counsel for the petitioner submits that the petitioner is innocent. She is aged 59, suffering with various ailments. She is noway connected with the offence. False case has been foisted against this petitioner. She is in custody from 4.8.2021 and hence prays for granting bail.

4. The case of the prosecution is that the defacto complainant herein is the resident of London. After the death of her mother, her father was taken to London. Since he insisted for living at Chennai, aged about 78 years, was left at the disputed premises and this petitioner/Ambika was appointed as Caretaker for the old man, When he was sick, it appears that with the aid of this petitioner, one Snehalatha was appointed as maid to take care of him and salary was paid to both the petitioner as well as Snehalatha. Taking advantage of the old age of the complainant's father, it appears that they have created

some documents as well as they have looted the money and jewels available in the house. After the expiry of the father, when the defacto complainant came from London to attend his last rites, this petitioner and others demanded Rs.1 Crore for vacating the property. As such as per the direction of the Hon'ble High Court, the petitioner was arrested. According to learned CPP, investigation is under the direct supervision of the Hon'ble High Court and thus seriously objects granting bail.

5. Bail petition moved by the co-accused was already dismissed by this court. The case has been registered as per the directions of our Hon'ble High Court. In view of the directions of the Hon'ble High Court, petitioner has been arrested and further the original petition pending before the Hon'ble High Court is coming up today for hearing. Under such circumstances, 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
Friday, the 3rd day of September 2021**

CrI.M.P.No.15047/2021

in

P.6, Kodungaiyur P.S. Crime No.2040/2021

Meeran @ Nagoor Meeran

.. 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. I.MD. Arif, D. Manoj Kumar, R.Ram Kumar, L. Leo Valan, K. Monika, Counsel for the petitioner and of CPP for respondent, this Court delivered the following :

ORDER

1. The petitioner, who was arrested on 13.8.2021 for the offences punishable under Section 273, 328 IPC and sec. 24(1) of COTP Act 2003 in Crime No.2040/2021 on the file of the respondent police, seeks bail.

2. The counsel for the petitioner and 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 was granted bail by this court. The petitioner is in custody from 13.8.2021 and prays for granting bail.

4. On the other hand, learned CPP submits that this petitioner/A1 along with A2 indulged in the sale of banned tobacco products which were bought from Bangalore and stored in a Godown. During vehicle check-up, the accused were found in possession of banned tobacco products and they were arrested and from this petitioner/A1, 33Kg and from A2, 24 Kg of banned tobacco products were seized. Apart from this, from the godown, 215 Kg of Hans, Remo-15 Kg, Cool Lip-15 Kg were also seized by the police. He seriously objects granting bail.

5. The petitioner is in custody for the past 22 days. The property involved in this case has been recovered and no one was hospitalized due to the consumption of contraband. No bad antecedent was reported against the petitioner. Co-accused was already granted bail by this court. Considering the above aspects and the duration of custody, this court is inclined to grant bail to the petitioner subject to condition.

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 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 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 above petitioner in accordance with law as if the conditions have been imposed and the above 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 X Metropolitan Magistrate, Chennai.
2. The Superintendent, Central Prison, Puzhal, Chennai

nmk

CrI.M.P.No.15047/2021

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Thiru R. Selvakumar, B.A., M.L.,
Principal Sessions Judge
Friday, the 3rd day of September 2021**

CrI.M.P.No.15053/2021

in

G.3, P.S. Kilpauk P.S. Cr.No.153/2021

K. Senthilkumar @ Gopinath

.. Petitioner/Accused.

Vs.

State Rep. by
The Inspector of Police,
G.3, Kilpauk Police Station,
Chennai.

..Respondent/Complainant.

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

ORDER

1. The petitioner, who was arrested on 17.5.2021 for the offence punishable under Section 363, 365, 342, 506(i) and 376 IPC in Cr.No.153/2021 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 110 days. The petitioner is a painter and cleaner working for various builders in Kilpauk area. On 30.4.2021, A1/Sakthivel came along with Anith and at his request, this petitioner accompanied them to Vellore for their marriage. Apart from this, the petitioner is no way connected with the offences. He has been falsely implicated in this case. Co-accused were granted bail by the Hon'ble High Court as well as by this court and hence, prays for granting bail.

4. It is a case of 376 IPC. According to learned CPP, the main accused A1/Sakthivel kidnapped the victim girl and raped her. This petitioner/A5 and others aided to kidnap the woman from Chennai to Vellore. The offence u/s.376 IPC is attracted only against A1. Co-accused were granted bail by the Hon'ble High Court as well as by this court. This petitioner is in custody for the past 110 days. Considering all those circumstances, this court is inclined to grant bail to the petitioner subject to conditions.

5. 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 II 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 above petitioner in accordance with law as if the conditions have been imposed and the above 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 II Metropolitan Magistrate, Chennai.
2. The Superintendent, Central Prison, Puzhal, Chennai.

nmk

CrI.M.P.No.15053/2021

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Friday, the 3rd day of September 2021

CrI.M.P.No.15055/2021

in

P.3, Vyasarpadi P.S. Crime No.666/2021

Madhavan

.. Petitioner/Accused.

Vs.

State Rep. by
The Inspector of Police,
P.3, Vyasarpadi Police Station,
Chennai.

..Respondent/Complainant.

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

ORDER

1. The petitioner, who was arrested on 13.7.2021 for the offence punishable under Section 341, 294(b), 397 and 506(ii) IPC in Crime No.666/2021 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 innocent of the offence. He has not committed any offence as alleged by the prosecution. Due to previous enmity, false case has been foisted on him. Co-accused was already enlarged on bail by this court. The petitioner is in custody from 13.7.2021 and prays for granting bail.

4. The case of the prosecution is that this petitioner along with other accused waylaid the defacto complainant and his friend and forcibly taken away two motor bikes from them at knife point. He objects granting bail stating that the petitioner is having 3 previous cases.

5. The petitioner is in custody for the past 53 days. According to learned CPP, this petitioner is having 3 previous cases. However, considering the duration of custody and co-

accused was already enlarged on bail, this court is inclined to grant bail to the petitioner subject to conditions.

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 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 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 above petitioner in accordance with law as if the conditions have been imposed and the above 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 X Metropolitan Magistrate, Chennai.
2. The Superintendent, Central Prison, Puzhal, Chennai.

nmk

Crl.M.P.No.15055/2021

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Thiru R. Selvakumar, B.A., M.L.,
Principal Sessions Judge
Friday, the 3rd day of September 2021**

CrI.M.P.No.14635/2021

in

N.2, Kasimedu P.S. Cr.No.653/2021

1. Ramakrishnan
2. Desapattu
3. Anjalidevi
4. Megala

.. Petitioners/Accused.

Vs.

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

..Respondent/Complainant.

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

ORDER

1. The petitioners, who apprehend arrest at the hands of the respondent police, for the alleged offence u/s.294(b), 323, 324, 506(ii) IPC in Cr.No.653/2021 on the file of the respondent police, seeks anticipatory bail.
2. Learned counsel for the petitioners and the learned CPP were heard through Video Conference.
3. Learned counsel for the petitioners submits that the petitioners and the defacto complainant are neighbours. There was a wordy quarrel. This is a case and counter case(Cr.No.652/2021). An exaggerated complaint has been given. Injured has been discharged from the hospital. Petitioners have no bad antecedents. Hence, prays for granting anticipatory bail.
4. This is a case and counter case. Petty quarrel between the neighbours. No serious injury is reported. Except Sec.506(ii) IPC, other offences are bailable. Under such circumstances, this court is inclined to grant anticipatory bail to the petitioners on condition.

5. 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 learned XVI Metropolitan Magistrate, Chennai on condition that the petitioners shall execute 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 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 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. Learned XVI Metropolitan Magistrate, Chennai.
2. CPP, Chennai.
3. The Inspector of Police, N.2, Kasimedu Police Station, Chennai.

nmk

Crl.M.P.No.14635/2021

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Thiru R. Selvakumar, B.A., M.L.,
Principal Sessions Judge
Friday, the 3rd day of September 2021**

CrI.M.P.No.14637/2021

in

N.2, Kasimedu P.S. Cr.No.652/2021

Thirunavukarasu

.. Petitioner/Accused.

Vs.

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

..Respondent/Complainant.

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

ORDER

1. The petitioner, who apprehends arrest at the hands of the respondent police, for the alleged offence u/s.294(b), 323, 324, 506(ii) IPC in Cr.No.652/2021 on the file of the respondent police, seeks anticipatory bail.
2. Learned counsel for the petitioner and the learned CPP were heard through Video Conference.
3. Learned counsel for the petitioner submits that the petitioner and the defacto complainant are neighbours. There was a wordy quarrel. This is a case and counter case(Cr.No.653/2021). An exaggerated complaint has been given. Hence, prays for granting anticipatory bail.
4. This is a case and counter case. Petty quarrel between the neighbours. Except Sec.506(ii) IPC, other offences are bailable. The accused in counter case were granted anticipatory bail today. Under such circumstances, this court is inclined to grant anticipatory bail to the petitioner on condition.
5. 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 XVI 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 XVI Metropolitan Magistrate, Chennai.
2. CPP, Chennai.
3. The Inspector of Police, N.2, Kasimedu Police Station, Chennai.

nmk

Crl.M.P.No.14637/2021

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Friday, the 3rd day of September 2021

CrI.M.P.No.14868/2021

in

H.4, Korukkupet P.S. Cr.No.1537/2021

S. Sridhar

.. Petitioner/Accused.

Vs.

State Rep. by
The Inspector of Police,
H.4, Korukkupet Police Station,
Chennai.

..Respondent/Complainant.

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

ORDER

1. The petitioner, who apprehends arrest at the hands of the respondent police, for the alleged offence u/s. 341, 294(b), 323, 324, 506(ii) IPC in Cr.No.1537/2021 on the file of the respondent police, seeks anticipatory bail.
2. Learned counsel for the petitioner and the learned CPP were heard through Video Conference.
3. Learned counsel for the petitioner submits that the petitioner and the defacto complainant are residing in the same locality. There was a wordy quarrel. This is a case and counter case. An exaggerated complaint has been given. Injured was treated as out-patient. Co-accused were granted bail by the court below. Hence, prays for granting anticipatory bail.
4. This is a case and counter case. Petty quarrel between the residents of the locality. Except Sec.506(ii) IPC, other offences are bailable. Injured has been treated as out-patient. Arrested accused were enlarged on bail. Under such circumstances, this court is inclined to grant anticipatory bail to the petitioner on condition.

5. 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 XV 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 XV Metropolitan Magistrate, Chennai.
2. CPP, Chennai.
3. The Inspector of Police, H.4, Korukkupet Police Station, Chennai.

nmk

Crl.M.P.No.14868/2021

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Friday, the 3rd day of September 2021

CrI.M.P.No.14975/2021

in

G.5, Secretariat Colony P.S. Cr.No.not known of 2021

1. R. Kothandaraman

2. K. Devaki

.. Petitioners/Accused.

Vs.

State Rep. by

The Inspector of Police,

G.5, Secretariat Colony Police Station,

Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing, upon hearing M/s. A. Kalaiazhagan, M. Karthik, G. Saravanabhavan, Counsel for the petitioners and of CPP for respondent, this Court delivered the following :

ORDER

1. The petitioners, who apprehend arrest at the hands of the respondent police, for the alleged offence u/s.294(b),323, 324, 506(ii) of IPC in Crime No.not known of 2021 on the file of the respondent police, seeks anticipatory bail.

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

3. Learned counsel for the petitioners submits that the petitioners are innocent and they have not committed any offence as alleged. The petitioners apprehends arrest and prays for anticipatory bail.

4. According to learned CPP, the case has been registered in Cr.No.238/2021 on the file of the respondent police for the offence u/s. 341, 294(b), 323, 324 IPC, which are bailable offences. Hence, this petition is dismissed as unnecessary.

Delivered by me today.

Principal Sessions Judge

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Friday, the 3rd day of September 2021

CrI.M.P.No.14976/2021

in

H.6, R.K. Nagar P.S. Cr.No.565/2016

Prasanth

.. 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. N. Naresh, K. Ramesh, M. Kumara Guru, Counsel for the petitioner and of CPP for respondent, this Court delivered the following :

ORDER

1. The petitioner, who apprehends arrest at the hands of the respondent police, for the alleged offence u/s.147, 148, 341, 294(b), 307, 506(ii) IPC in Cr.No.565/2016 on the file of the respondent police, seeks anticipatory bail.
2. Learned counsel for the petitioner and the learned CPP were heard through Video Conference.
3. Learned counsel for the petitioner submits that the petitioner is innocent. He was not at all present in place of occurrence. Petitioner's name does not find a place in the FIR. Only based on the confession statement, the petitioner has been falsely implicated in this case. Arrested accused were released on bail. Hence, prays for granting anticipatory bail.
4. The petitioner was not at all present in the place of occurrence as per FIR. Petitioner's name does not find a place in the FIR. So, there may not be any specific overt act by the petitioner in the alleged assault. The alleged occurrence took place in the year 2016. So far, the police not chosen to arrest the petitioner. No previous case is reported as

against the petitioner. Considering all these circumstances, this court is inclined to grant anticipatory bail to the petitioner on condition.

5. 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 XV 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 XV Metropolitan Magistrate, Chennai.
2. CPP, Chennai.
3. The Inspector of Police, H.6, R.K. Nagar Police Station, Chennai.

nmk

CrI.M.P.No.14976/2021

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Friday, the 3rd day of September 2021

CrI.M.P.No.14546/2021

in

H.6, R.K. Nagar P.S. Cr.No.1192/2021

Monisha

.. 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 and A. Venkateswara Babu, Counsel for the petitioner and of CPP for respondent, this Court delivered the following :

ORDER

1. The petitioner, who apprehends arrest at the hands of the respondent police, for the alleged offence u/s.147, 148, 341, 294(b), 324, 302, 506(ii) IPC in Cr.No.1192/2021 on the file of the respondent police, seeks anticipatory bail.
2. Learned counsel for the petitioner and the learned CPP were heard through Video Conference.
3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. On the date of occurrence, she was in the advanced stage of Pregnancy. She delivered a baby on 21.7.2021. The occurrence took place on 10.7.2021. She is not having any specific overt act and hence prays for granting anticipatory bail.
4. He also produced the medical records to show the date of delivery of a baby by the petitioner.
5. On the other hand, learned CPP objects granting bail stating that it is a case of 302 IPC and she had passed information about the victim and induced the other accused to do away with Thangaraj.

6. On perusal of the Case Diary, it appears, the petitioner has been roped into this case on the basis of the confession statement of one Balaji. The relevant portion related to the petitioner is “பெரிய அப்புனுவின் மனைவி மோனிஜாவை தங்கராஜ் வீட்டில் அனுப்பி தங்கராஜ் இருக்கிறானா என நோட்டம் பார்த்துவிட்டு வரச் சொன்னோம்..... தங்கத்தை இழுத்து வந்து வெட்டி சாவடிங்கடா என்று சத்தம் போட்டார்.....” The petitioner is not having personal enmity against the deceased. Petitioner’s husband by name Periya Appunu is the friend of Balaji. The said Balaji had affair with one Victoria. While so, leaving the Balaji, she developed intimacy with Thangaraj, due to which intimacy, motive is for Balaji to do away with Thangaraj. Petitioner’s husband Periya Appunu, being the friend of said Balaji indulged in the offence. The prosecution has not chosen to arrest the petitioner so far. The documents produced by the petitioner’s counsel would go to show the delivery of a baby by the petitioner at Government Hospital on 21.7.2021. So, obviously she was in the advanced stage of pregnancy on 10.7.2021. As already stated, the petitioner or her husband have no specific personal motive as against the deceased. Now, the petitioner is feeding a baby born on 21.7.2021. Under such circumstances, since, the petitioner is ready to co-operate with the investigation, this court is inclined to grant anticipatory bail to the petitioner on condition.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned XV 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 XV Metropolitan Magistrate, Chennai.
2. CPP, Chennai.
3. The Inspector of Police, H.6, R.K. Nagar Police Station, Chennai.

nmk

CrI.M.P.No.14546/2021

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Thiru R. Selvakumar, B.A., M.L.,
Principal Sessions Judge
Friday, the 3rd day of September 2021**

CrI.M.P.No.14980/2021

in

C.C.No.4730/2021

(on the file of Chief Metropolitan Magistrate Court, Egmore, Chennai)

in

EOW.II, Cr.No.13/2005

H.B. Padmalatha @ Latha

.. Petitioner/Accused.

Vs.

State Rep. by
The Inspector of Police,
EOW-II, Chennai.

..Respondent/Complainant.

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

ORDER

1. The petitioner, who apprehends arrest at the hands of the respondent police, for the alleged offence u/s.120(B), 420 r/w. 34 of IPC in Cr.No.13/2005 on the file of the respondent police, seeks anticipatory bail.
2. Learned counsel for the petitioner and the learned CPP were heard through Video Conference.
3. Learned counsel for the petitioner submits that the case is of the year 2005. Since because other accused happens to be husband of the petitioner, she has been falsely implicated in this case. Since investigation is over and charge sheet was filed, she prays for granting anticipatory bail.
4. On the other hand, learned CPP submits that it is a case of cheating. However, admits the filing of charge sheet against the petitioner and issue of summons to the petitioner.

5. It appears summon was issued by the learned Chief Metropolitan Magistrate in C.C.No.4730/2021. So, it is evident that investigation is over. Custodial interrogation appears to be unnecessary. The petitioner is a woman. Prime accused was already granted anticipatory bail by the Hon'ble High Court. Considering all these circumstances, this court is inclined to grant anticipatory bail to the petitioner on condition.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Chief 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 said Court 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 Chief Metropolitan Magistrate, Chennai.
2. CPP, Chennai.
3. The Inspector of Police, EOW-II Chennai.

nmk

CrI.M.P.No.14980/2021

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Thiru R. Selvakumar, B.A., M.L.,
Principal Sessions Judge
Friday, the 3rd day of September 2021**

CrI.M.P.No.14842/2021

in

CCB, Crime No.231/2020

Perumal

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
Central Crime Branch,
ALGSC-I, Team-16A,
Chennai.

..Respondent/Complainant.

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

ORDER

1. The petitioner, who was arrested on 21.8.2021 for the offences punishable under Section 419, 465, 467, 468, 471, 420 r/w. 120(B) IPC in Crime No.231/2020 on the file of the respondent police, seeks bail.

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

3. Learned counsel for the petitioner submits that the petitioner is the bonafide purchaser of the property from one Durairaj. He had no knowledge about that the Power of Attorney in favour of Durairaj was obtained by impersonating some other person as defacto complainant/Santhana Gopalan. Since he is a bonafide purchaser, having no role in the alleged creation of forged power deed, learned counsel for the petitioner prays for bail.

4. On the other hand, learned CPP seriously objects granting bail stating that it is a grave case of cheating. Investigation is pending and other accused are yet to be secured.

5. On perusal of the Case Diary, it appears the Power of Attorney Deed was came into existence by impersonating the original owner/Santhana Gopalan. No doubt as per records, the petitioner purchased the property from Santhana Gopalan through his power

agent/Durairaj on 23.11.2018. However, he sold the same to one Thanigaimalai and Malathi within a few months on 15.3.2019. The dates of Power Deed, Agreement, Cancellation of Power Deed and Sale Deed alienating the property to some other person within a short span of time would probalilise the involvement of the petitioner in the crime. He is in the Real Estate field. So ignorance cannot be pleaded prima facie. Investigation is at the budding stage. Other accused are yet to be secured. Under such circumstances, 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
Friday, the 3rd day of September, 2021.

CrL.M.P.No.14977/2021

in

A.W.P.S. Aynavaram Crime No.9/2021

Govindarajan

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
All Women Police Station,
Aynavaram,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing, upon hearing the counsel for the petitioner M/s.R.Bharathithasan, S.Madhusudanan and V.B.Krishnakumar and CPP for respondent, this Court delivered the following :

ORDER

1. The petitioner, who apprehends arrest by the respondent police for the alleged offences punishable u/s 354(A), 294(b) and 506(ii) of IPC in Crime No.9/2021 on the file of the respondent police, seeks anticipatory bail.

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

3. Learned counsel for the petitioner submits that the petitioner is innocent and he has not committed any offence as alleged. There was property dispute between the petitioner and defacto complainant. It is a civil dispute. The petitioner was assaulted and he lodged a complaint before the Secretariat Colony Police Station. To counter-blast the same, the present complaint has been given. He apprehends arrest and prays for granting anticipatory bail.

4. The petitioner is the father of the defacto complainant. The complaint is to the effect that the petitioner tried to molest her in the following words :

“எனது அப்பா திரு.கோவிந்தராஜ் குடித்துவிட்டு நாங்கள் குடியிருக்கும் வீட்டின் உள்ளே வந்து என்னை மகள் என்றும் பாராமல் என்னை கட்டிப்பிடித்து உடம்பில் அனைத்து இடத்திலும் கையை வைத்து எனது மார்பில் கையை வைத்து பிசைந்து என்னை பாலியல் பலாத்காரம் செய்ய முயற்சித்தார்.”

5. Considering the nature offence, this court is not inclined to grant anticipatory 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
Friday, the 3rd day of September, 2021.**

CrL.M.P.No.14979/2021

in

N-2, Kasimedu P.S. Crime No.422/2021

Kalai Selvi

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
N-2, Kasimedu 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.R.Mukesh Kannah and M.Nithiyavel and CPP for respondent, this Court delivered the following :

ORDER

1. The petitioner, who apprehends arrest by the respondent police for the alleged offences punishable u/s 147, 294(b), 448, 454 and 506(ii) of IPC in Crime No.422/2021 on the file of the respondent police, seeks anticipatory bail.

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

3. Learned counsel for the petitioner submits that there was a civil dispute between the defacto complainant and co-accused of this petitioner. The petitioner had no role at all in the dispute. Since she was present in the place of occurrence, she has been implicated in this case. The offence u/s 506(ii) IPC is not at all made out against the petitioner. She apprehends arrest and prays for granting anticipatory bail.

4. On the other hand, the learned CPP objects granting anticipatory bail stating that there was civil dispute between the parties. On the occurrence day, when the defacto complainant went to see their house, the accused broke open the lock and kept their articles inside the premises. When the same was questioned by the defacto complainant, the accused, including the petitioner, abused and threatened the defacto complainant.

5. Civil dispute. The petitioner is a woman. Considering the nature of case and gender, this court is inclined to grant anticipatory bail.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of

this order, before the XVI 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. The XVI Metropolitan Magistrate, Chennai.
2. CPP, Chennai.
3. The Inspector of Police, N-2, Kasimedu Police Station, Chennai.

ss

Crl.M.P.No.14979/2021

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Thiru R. Selvakumar, B.A., M.L.,
Principal Sessions Judge
Friday, the 3rd day of September, 2021.**

CrI.M.P.No.14981/2021

in

R.R. No.18/2021

V.Sasi Rekha

.. Petitioner/Accused

Vs.

State Rep. by
The Senior Intelligence Officer,
DGGI, Chennai Zone and Unit,
No.16, BSNL Building, Tower II,
5th and 8th Floors, Greams Road,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing, upon hearing the counsel for the petitioner M/s.J.Abdul Rahim, R.Pushpalatha and U.K.Kalaiarasi, this Court delivered the following :

ORDER

1. The petitioner, who apprehends arrest by the respondent police for the alleged offences punishable u/s 132(5) of CGST Act in R.R.No.18/2021 on the file of the respondent police, seeks anticipatory bail.
2. The counsel for the petitioner and CPP were heard through Video Conference.
3. Learned counsel for the petitioner submits that she may be permitted to withdraw the petition. Hence, the petition is dismissed as withdrawn.

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

Friday, the 3rd day of September, 2021.

Crl.M.P.No.14538/2021

in

Crl.M.P.No.12291/2021

in

Crime No.544/2021

Manikandan

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
K-10, Koyambedu 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.G.Ruthra Kumar, S.Yogaraj and G.Renalds Shinto and CPP for respondent, this Court delivered the following :

ORDER

1. The petitioner seeks relaxation of the condition imposed by this court in Crl.M.P.No.12291/2021, dt: 29.7.2021.
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.12291/2021, dated 29.7.2021 with condition to appear before the respondent police daily at 10.30 a.m. until further orders.
4. Learned CPP submits that the petitioner has complied the condition only till 25.8.2021.
5. The petitioner has complied the condition till 25.8.2021. After filing the relaxation petition, the petitioner deliberately avoided complying condition even no order has been passed. Under such circumstances, this court is not inclined to relax the condition.
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

Friday, the 3rd day of September, 2021.

CrI.M.P.No.14952/2021

in

CrI.M.P.No.13073/2021

in

Crime No.306/2021

1. E.Premkumar @ Muthu
2. M.Senthil Kumar
3. M.Balaji
4. R.Prakash
5. M.Jeevanandham
6. M.Sathish

.. Petitioners/Accused

Vs.

State Rep. by
The Inspector of Police,
G-3, Kilpauk 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.M.Jayakumar, S.Jayapal and Sivakumar and CPP for respondent, this Court delivered the following :

ORDER

1. The petitioners seek relaxation of the condition imposed by this court in CrI.M.P.No.13073/2021, dt: 10.8.2021.
2. The counsel for the petitioners and CPP were heard through Video Conference.
3. The petitioners were granted anticipatory bail by this court in CrI.M.P.No.13073/2021, dated 10.8.2021 with condition to appear before the respondent police daily at 10.30 a.m. until further orders.
4. Learned CPP submits that the petitioners have complied the condition till date.
5. The petitioners have complied the condition for three weeks. Considering the nature of case and the number of days complied, this court is inclined to relax the condition.

6. (i) Petition is allowed.

(ii) Condition is relaxed in toto.

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

Friday, the 3rd day of September, 2021.

Crl.M.P.No.14969/2021

in

Crl.M.P.No.13659/2021

in

Crime No.1725/2021

Kishore

.. 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 the counsel for the petitioner M/s.N.Thandayuthabani and P.Vishnu and CPP for respondent, this Court delivered the following :

ORDER

1. The petitioner seeks relaxation of the condition imposed by this court in Crl.M.P.No.13659/2021, dt: 16.8.2021.
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.13659/2021, dated 16.8.2021 with condition to appear before the respondent police daily at 10.30 a.m. until further orders.
4. Learned CPP submits that the petitioner has complied the condition till 1.9.2021.
5. The petitioner has complied the condition for 14 days. Considering the nature of case and the number of days complied, this court is inclined to relax the condition.
6. (i) Petition is allowed.
(ii) Condition is relaxed in toto.

Delivered by me today.

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Friday, the 3rd day of September, 2021.

Crl.M.P.No.14970/2021

in

Crl.M.P.No.13668/2021

in

Crime No.1725/2021

P.Marimuthu

.. 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 the counsel for the petitioner M/s.C.V.Kumar, N.Thandayuthabani and S.J.Sasikala and CPP for respondent, this Court delivered the following :

ORDER

1. The petitioner seeks relaxation of the condition imposed by this court in Crl.M.P.No.13668/2021, dt: 16.8.2021.
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.13668/2021, dated 16.8.2021 with condition to appear before the respondent police daily at 10.30 a.m. until further orders.
4. Learned CPP submits that the petitioner has complied the condition till 1.9.2021.
5. The petitioner has complied the condition for 14 days. Considering the nature of case and the number of days complied, this court is inclined to relax the condition.
6. (i) Petition is allowed.
(ii) Condition is relaxed in toto.

Delivered by me today.

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Friday, the 3rd day of September, 2021.

Crl.M.P.No.14971/2021

in

Crl.M.P.No.13211/2021

in

Crime No.655/2021

G.V.R.Nanda Kishore

... Petitioner/Accused.

vs.

State by

The Inspector of Police,

J-3, Guindy Police Station,

Chennai.

... Respondent/Complainant.

This petition is coming on this day before me for hearing, upon hearing M/s.S.Ramkumar, A.Bharath Kumar, V.Gurumoorthy and B.Ebenezer, Counsel for the petitioners and the CPP for the respondent, this Court delivered the following,

ORDER

1. Petitioner seeks relaxation of the condition imposed by this court in Crl.M.P.No.13211/2021, dt: 16.8.2021.

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.13211/2021 on 16.8.2021 for the offence u/s.408 of IPC and Sec.66 of I.T. Act with some conditions. One such condition is that the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders.

4. Learned CPP submits that the petitioner has complied the condition only for 10 days.

5. Considering the nature of case and number of days complied, this court is inclined to modify the condition as follows :

“The petitioner shall appear before the respondent police once in a week, on every Monday at 10.30 a.m. until further orders.”

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

Friday, the 3rd day of September, 2021.

Crl.M.P.No.14972/2021

in

Crl.M.P.No.13221/2021

in

Crl.M.P.No.12673/2021

in

Crime No.243/2019

Shahul Hameed @ Muttai Shahul

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
B-1, North Beach 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.M.Zainul Abideen, M.Mujibur Rahman, D.Gopi Krishnan, U.Yuvaraj and A.Vinoth Kumar and CPP for respondent, this Court delivered the following :

ORDER

1. The petitioner seeks relaxation of the condition imposed by this court in Crl.M.P.No.13221/2021, dt: 11.8.2021.
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.12673/2021, dated 5.8.2021 with condition to appear before the respondent police daily at 10.30 a.m. until further orders. As per the order passed in Crl.M.P.No.13221/2021, dated 11.8.2021, the above condition was modified and the petitioner was directed to appear before the Inspector of Police, C-1, Flower Bazaar Police Station daily at 10.30 a.m. until further orders.
4. Learned CPP submits that the petitioner has complied the condition till 2.9.2021.
5. The petitioner has complied the condition for 27 days. Considering the nature of case and the number of days complied, this court is inclined to relax the condition.

6. (i) Petition is allowed.

(ii) Condition is relaxed in toto.

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

Friday, the 3rd day of September, 2021.

Crl.M.P.No.14973/2021

in

Crl.M.P.No.746/2021

in

S.C.No.172/2015

(On the file of the learned IV Additional Sessions Judge, Chennai)

in

Crime No.1058/2014

Shahur @ Mohamed Jahur

.. Petitioner/Accused

Vs.

State Rep. by

The Inspector of Police,

D-3, Ice House 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.S.Elavarasan, N.Vinothini and S.Sharmila and CPP for respondent, this Court delivered the following :

ORDER

1. The petitioner seeks relaxation of the condition imposed by this court in Crl.M.P.No.746/2021, dt: 21.1.2021.
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.746/2021, dated 21.1.2021 with condition to appear before the Sessions Court daily at 10.30 a.m. until further orders.
4. Learned CPP submits that the petitioner has complied the condition till 1.9.2021.
5. The petitioner has complied the condition for three weeks. Considering the nature of case and the number of days complied, this court is inclined to relax the condition.
6. (i) Petition is allowed.
(ii) Condition is relaxed in toto.

Delivered by me today.

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Friday, the 3rd day of September, 2021

Crl.M.P.No.14740/2021

in

CCB-I Crime No.32/2021

Sam Abisheik

.. Petitioner/Accused

Vs.

State Rep. by

The Inspector of Police,

Central Crime Branch-1,

Vepery,

..Respondent/Complainant.

This petition is coming on this day before me for hearing, upon hearing the counsel for the petitioner M/s.M.Vijayakumar, R.R.Mohana Raja, M.S.Arul Mani and SPP for respondent, this Court delivered the following :

ORDER

1. The petitioner, who was arrested on 15.8.2021 for the offences punishable under Section 153, 153A(1)(a), 505(1)(b), 505(2) of IPC and Section 3(1)(r), 3(1)(s), 3(1)(u) of SC & ST Prevention of Atrocities Act, 1989 in Crime No.32/2021 on the file of the respondent police, seek bail.

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

3. Learned counsel for the petitioner submits that the petitioner has been wrongly implicated in this case. He was in Scheduled Caste and subsequently, converted to Christianity. Though the community has been changed, his caste remains the same. So, under the provisions of SC/ST (POA) Act, he cannot be prosecuted. Further, he was arrested on 15.8.2021 and he is in custody for about three weeks. Further, the learned counsel invites this court's attention to the decision of our Hon'ble High Court in Writ Petition No.7279/2004, dated 6.1.2009 and another judgment of the Hon'ble Supreme Court in Criminal Appeal No.4870/2015, dated 29.4.2016 to his support. According to the said decisions, though the person converted himself into some other religion, the caste remain the same and thus, he prays for bail.

4. On the other hand, the learned Special Public Prosecutor submits that it is a sensitive case, in which, the present petitioner's girl friend Meera Mithun uploaded video

containing derogatory words about the Scheduled Casts people, for which, the present petitioner is the close aid. He alone uploaded the video online. As per the Community Certificate issued to the petitioner, he is a Christian and thus, belongs to Backward Community. He cannot blow hot and cold and change his caste while forced to face the criminal trial and objects granting bail.

5. No doubt, in the decisions cited, there was some observations as if the caste of the petitioner remains same though there was conversion to other religion. On perusal of the said judgment, in both the cases, it relates to a person, who was converted to other community and reconverted to the original community or any community, there the caste system is in existence. In the order passed by the Hon'ble High Court in W.P.No.7297/2004, a certificate issued in favour of the petitioner therein as if he belongs to Scheduled Caste, has been cancelled, the same was challenged before the Hon'ble High Court. There, it was held that the petitioner therein though converted into Christianity, subsequently, he reconverted into Hindu Community and thus, the original caste of the petitioner therein is restored. Similarly, the decision cited by the learned counsel for the petitioner in Criminal Appeal No.4870/2015, the petitioner therein was originally a Hindu. He subsequently converted to Islam. From the said community, he changed his religion to Sikhism. More or less Sikhs are treated on par with Hindus. Thus, it has been held that the petitioner remain the same and he belongs to Scheduled Caste. So, the said decisions are directly not applicable to the facts of this case. In this case, the petitioner is not yet converted into Hinduism. Under such circumstances, the said decisions are not helpful to the petitioner while considering his bail petition.

6. Meera Mithun, the main accused was arrested and she is in custody from 15.8.2021. The earlier petition was dismissed on 23.8.2021. There is no change of circumstances except the period of incarceration. The case became highly sensitive due to the media report in the online channels. The entire community had been put into shame by the conduct of the present petitioner, who uploaded the speech of his friend Meera Mithun. If the petitioner was diligent enough, he could have avoided such speech in the public media. The statement recorded by the police from the petitioner would go to show that he alone uploaded the material on Youtube live Channel. Considering the short duration of

custody and the impact on the entire society by the act of the petitioner and co-accused Meera Mithun, this court is not inclined to grant bail at present.

7. 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

Friday, the 3rd day of September, 2021

Crl.M.P.No.15060/2021

in

CCB-I Crime No.32/2021

Tamilselvi @ Meera Mithun

.. Petitioner/Accused

Vs.

State Rep. by

The Inspector of Police,

Central Crime Branch-1,

Vepery,

..Respondent/Complainant.

This petition is coming on this day before me for hearing, upon hearing the counsel for the petitioner M/s.R.Chellamuthu, O.V.Krishnan, B.Balaji and D.Sugumar and SPP for respondent, this Court delivered the following :

ORDER

1. The petitioner, who was arrested on 15.8.2021 for the offences punishable under Section 153, 153A(i)(a), 505(1)(b), 505(2) of IPC and Section 3(1)(r), 3(1)(s), 3(1)(u) of SC & ST Prevention of Atrocities Act, 1989 in Crime No.32/2021 on the file of the respondent police, seek bail.

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

3. Learned counsel for the petitioner submits that the petitioner is in custody for nearly three weeks. He pleads for bail on the ground of mercy.

4. Records perused. Earlier petition was dismissed on 23.8.2021. There is no change of circumstances. The present petitioner is the prime accused, who had uploaded her speech containing derogatory remarks on the Schedule Caste people. Apart from this case, according to the prosecution, she has previous incidents of such nature. Considering the short duration of custody and sensitiveness of the case, this court is not inclined to grant bail at present.

5. 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

Friday, the 3rd day of September, 2021

Crl.M.P.No.14858/2021

in

G-1, Vepery P.S. Crime No.768/2021

Fairoze

.. Petitioner/Accused

Vs.

State Rep. by

The Inspector of Police,

G-1, Vepery Police Station,

Chennai.

..Respondent/Complainant

This petition is coming on this day before me for hearing, upon hearing M/s.N.Baaskaran, A.Balamurugan, R.Sudha and Pooja Kanmani.R, Counsel for the petitioner and CPP for the respondent, this Court delivered the following

ORDER

1. The petitioner, who was arrested on 27.8.2021 for the offences punishable under Section 353, 328 and 506(i) of IPC and u/s 6(b), 24(1) of Cigarette and Other Tobacco Products Act, 2003 and u/s 45 and 46 of City Police Act in Cr.No.768/2021 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 an exaggerated complaint has been given against the petitioner. In fact, he is running a Snooker Club and Vegetarian Restaurant. That premises was raided by the police. There was some wordy altercation. Due to which, he has been falsely implicated in this case and prays for bail.

4. On the other hand, the learned CPP submits that it is a case of Hookah Bar. Without any licence, the petitioner is running a Hookah Bar near a reputed school in an apartment. Further, he has quarreled with the police and gone to the extent of giving life threat to the police officials and objects granting bail.

5. On perusal of the typed-set produced by the petitioner and C.D. produced by the prosecution, it appears some of the equipments for Hookah smoking were recovered from the petitioner's premises. Though the petitioner's counsel produced some document to

show the registration of the firm in the name of 'Q-lounge Snooker Academy and Pure Veg Restaurant', the property seized from the place of occurrence would go to show running of Hookah Bar, making people addict for Hookah smoking and serious impact on the society. That too, the petitioner is running the Hookah Bar within 100 ft. distance from the reputed school. The accused is in custody only for one week. Considering the nature of offence and 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
Friday, the 3rd day of September, 2021.**

Cr.L.M.P.No.14545/2021

in

G-3, Kilpauk P.S. Crime No.308/2021

R.Mythili

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
G-3, Kilpauk 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.S.Somasundaram, R.Barnabas and K.Nehru and CPP for respondent, this Court delivered the following :

ORDER

1. The petitioner, who apprehends arrest by the respondent police for the alleged offences punishable u/s 406 of IPC in Crime No.308/2021 on the file of the respondent police, seeks anticipatory bail.

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

3. Learned counsel for the petitioner submits that a false and exaggerated complaint has been given against the petitioner. It is purely a money dispute. For the amount due to the defacto complainant, cheques were already issued and prays for bail.

4. On the other hand, the learned CPP submitted the C.D. for perusal and submits that the case was registered as per the orders of the learned II Metropolitan Magistrate, Chennai, who forwarded the complaint u/s 156(2) of Cr.P.C.

5. On perusal of the C.D., it appears for the amount due to the defacto complainant, there were cheques issued by the petitioner. It also reveals loan transaction between them. Prima facie, the dispute appears to be civil in nature. Except the defacto complainant, no other complaint has been received against the petitioner. The petitioner is also a woman. Arresting her for civil liability may lead to miscarriage of justice. The petitioner is ready to co-operate for investigation. Considering all those circumstances, this court is inclined to grant anticipatory bail.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the II 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. The II Metropolitan Magistrate, Chennai.
2. CPP, Chennai.
3. The Inspector of Police, G-3, Kilpauk Police Station, Chennai.

SS

Crl.M.P.No.14545/2021

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Friday, the 3rd day of September, 2021

CrI.M.P.No.15054/2021

in

S.C.No.324/2017

(On the file of the learned Mahila Sessions Judge, Chennai)

in

J-6, Thiruvanmiyur P.S. Cr.No.2298/2017

Dilli @ Vijayakumar

.. Petitioner/Accused.

Vs.

State Rep. by

The Inspector of Police,

J-6, Thiruvanmiyur Police Station,

Chennai.

..Respondent/Complainant.

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

ORDER

1. The petitioner, who was arrested on 11.3.2021 on N.B.W. for the offences punishable under Section 379, 302 r/w 34 of IPC in S.C.No.324/2017 in Crime No.2298/2017 on the file of the learned Mahila Sessions Judge, Chennai, seek bail.

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

3. Learned counsel for the petitioner submits that due to non-communication between the petitioner and his counsel, the petitioner could not able to attend the court on 22.4.2019 and N.B.W. was issued against him. He was appearing before the court regularly before N.B.W.. Hereinafter, he will undertake to appear before the court regularly and prays for granting bail.

4. On the other hand, the learned CPP submits that the case is pending before the learned Mahila Sessions Judge, Chennai.

5. For the absence of the accused on 22.4.2019, N.B.W. has been issued. On 11.3.2021 it has been executed and the accused was remanded to custody. The learned counsel for the petitioner submits that there was non-communication between the petitioner and his counsel. He also submits that previously, he was proper in attending the court and

prays for bail. The petitioner is in custody for about six months. Considering the duration of custody, 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 Mahila Sessions Judge, 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 said court 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 above petitioner in accordance with law as if the conditions have been imposed and the above 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 Mahila Sessions Judge, Chennai.
2. The Superintendent, Central Prison, Puzhal, Chennai.

ss

CrI.M.P.No.15054/2021

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Friday, the 3rd day of September, 2021.

Crl.M.P.No.15083/2021

in

Crl.R.C.No.77/2021

against

M.P.No.11/2021

in

RC No.08/Sec.Pro/DCP Triplicane/2021

in

F-4, Thousand Light P.S. SL.No.06/2021 U/s 107 of Cr.P.C.

Pandiyan

... Petitioner / Petitioner / Respondent /
Accused

Vs.

1. The Executive Magistrate cum Deputy Commissioner
of Police, Triplicane District.

2. The State represented by

Inspector of Police,

F-4, Thousand Lights Law & Order 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.U.Yuvaraj, D.Gopi Krishnan, B.Vasudevan and P.Praveen Kumar 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 through Video Conference.

3. The Petitioner herein is the accused in M.P.No.11/2021 in RC No.08/Sec.Pro/DCP Triplicane/2021 in F-4, Thousand Light P.S. SL.No.06/2021 on the file of the 1st respondent and he was convicted and sentenced to undergo imprisonment for 198 days for violation of bond executed u/s 107 of Cr.P.C. as per the order dated 19.8.2021.

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 198 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 XIV Metropolitan Magistrate, Chennai.

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

9. The Revision is posted on 4.10.2021.

Delivered by me today in the open court.

Principal Sessions Judge.

Copy to :

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

ss