

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge**

Tuesday, the 2nd day of August, 2022

Crl.M.P.No. 12900/2022

in

PRC No. 168/2021

(on the file of V Metropolitan Magistrate, Egmore, Chennai)

in

K-7 ICF P.S. Crime No. 141/2021

E. Naveenkumar @ Lotta Naveen

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
K-7 ICF Police Station,
Chennai.

..Respondent/Complainant.

The above petition is coming on this day before me for hearing in the presence of M/s. G. Sonai Bothirajan, T. Vinoth Kumar, Counsel for the petitioner and of CPP for respondent and upon hearing them, this Court delivered the following :

ORDER

1. The petitioner, who was arrested on 12.7.2022 on execution of NBW for the offence punishable under Section 302 r/w 34 IPC in Crime No. 141/2021 on the file of respondent police seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that due to his illness, he could not appear before the committal court and therefore, NBW was issued against him on 17.5.2022. His absence is neither wilful nor wanton. He is ready to abide by any condition that may be imposed on him. He is in custody from 12.7.2022. Hence, prays for granting bail.

4. According to CPP, NBW issued on 17.5.2022 and it was executed on 12.7.2022. Now, the case is pending at committal stage. Due to the absence of the accused, the case

could not be proceeded further. If he is released on bail, there is a chance for his absconding and therefore, he opposes the grant of bail.

5. It is a case under sec. 302 IPC. NBW was issued against the petitioner on 17.5.2022 and it was executed on 12.7.2022 after two months. In the meantime, this petitioner has not chosen to surrender or recall the warrant. According to CPP, due to the absence of one or the other accused, the case could not be committed to the court of Sessions. No valid reason stated by the petitioner for his absence. Now the case is pending for committal stage. If the petitioner is released on bail, again, there is every possibilities for his abscondence and that he will not be available to complete the committal proceedings. In the above said circumstances, this court is not inclined to grant bail to the petitioner.

6. Petition is dismissed.

Delivered by me in the open court today.

Principal Sessions Judge

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge**

Tuesday, the 2nd day of August, 2022

Crl.M.P.No. 13406/2022

in

P-1 Pulianthope P.S. Crime No. 454/2022

Mari @ Korukkupet Mari

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
P-1 Pulianthope Police Station,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s. S. Syed Azharudeen, V. Karthick, A.G. Abdul Kareem, S. Raj, Counsel for the petitioner and of CPP for the respondent and upon hearing them, this Court delivered the following

ORDER

1. The petitioner, who was arrested on 12.7.2022 for the offence punishable under Section 341, 294(b), 323, 397 and 506(ii) IPC in Crime No. 454/2022 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that this petitioner is innocent of the offence. He has not committed any offence as alleged by the prosecution. Since this petitioner is having some previous cases, this false case has been foisted on him only for statistical purpose. The petitioner is in custody from 12.7.2022 and prays for granting bail.

4. The case of the prosecution is that this petitioner waylaid the defacto complainant, and robbed Rs. 620/- from him at knife point.

5. According to CPP, this petitioner is a habitual offender and having 36 previous cases. He also produced the list of cases pending against the petitioner. Hence, he objects the grant of bail.

6. On perusal of the list furnished by the CPP, it would go to show that this petitioner involved in the criminal activities since 2007 and so far he is having 36 previous cases for various offence. Considering the nature of offence and the bad antecedents of the petitioner, this court is not inclined to grant bail to the petitioner.

7. Petition is dismissed.

Delivered by me in open court today.

Principal Sessions Judge

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge**

Tuesday, the 2nd day of August, 2022

Crl.M.P.No. 13409/2022

in

CCB-1 Crime No. 108/2022

1. Ranjith Kumar
2. Sivasakaravarathi

.. Petitioners/Accused

Vs.

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

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s. T.R.D. Krithik, Jayashree, J. Parthipan, C. Vinothkumar, Counsel for the petitioners and of CPP for the respondent and upon hearing them, this Court delivered the following

ORDER

1. The petitioners, who were arrested on 30.6.2022 for the offence punishable under Section 420, 465, 467, 468, 471 r/w 120(B) IPC in Crime No. 108/2022 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioners submits that petitioners are innocent. They are no way connected with the alleged offence. These petitioners name does not find a place in the FIR. There is no overt act against them. The named accused in the FIR alone encroached the property and created bogus deeds. These petitioners are noway connected with the fraudulent act committed by the named accused. There is no materials to show that these petitioners acted as the back bone of the entire transaction. These petitioners do not have any transaction with the alleged impersonators. The dispute is civil in nature. Without conducting any enquiry, the respondent police hurriedly implicated the petitioners in this case and arrested them. Co-accused/A8 was granted bail

by the Hon'ble High Court in Crl.M.P.No.17188/2022 dated 25.7.2022 and A7 was granted bail by this court on 27.7.2022. These petitioners have no bad antecedent. They are in custody from 30.6.2022.Hence, prays for granting bail.

4. The case of the prosecution is that, on 1.2.2022, the defacto complainant has preferred a complaint before the Commissioner of Police, Greater Chennai, alleging that she is the owner of the land admeasuring an extent of 3274 Sq.ft. comprised in Survey No. 132/3A2, bearing plot No.1, situated at 8th street, Kuberan Nagar, Madipakkam, Chennai having purchased the same from one Muthulingam and Ravikumar through a sale deed dated 5.9.2005, vide document No.3842/2005 in the office of SRO, Velachery and her vendors have purchased the said property from one Mrs. Ansibai, through a sale deed dated 9.3.2001, at SRO, Velachery, vide document No. 957/2001 and she had been in possession and enjoyment of the said property right from the purchase without any hindrance. While being so, during February 2022, she had intended to develop the said property and applied for bank loan, when she searched online encumbrance certificate, to her shock and surprise, she has found that the persons namely Rengasamy, S/o. Jambulingam, Harikrishnan S/o. Rengasamy, Narayanamurthy, S/o. Katirvel, Sub Registrar, Velachery, Srividhya.R W/o. Baskar and Swathy.U W/o. Sathish have colluded and conspired together and fraudulently created bogus and fake documents for the very same property and grabbed her property ad without any parent document, the said Rengasamy and Harikrishnan have fraudulently created a settlement deed dated 20.4.2021 and also a General Power of Attorney deed dated 20.4.2021 on the file of SRO, Velachery and sold the same to the said Srividhya and Swathy by making the said plot into two parts and committed the offence of grabbing the land of the defacto complainant. Hence, the complaint.

5. According to CPP, totally 10 accused involved in this case. These petitioners are arrayed as A9 and A10. These petitioners along with other accused colluded with each other created forged documents in respect of the property owned by the defacto complainant at Madipakkam Village measuring an extent of 3274 sq.ft. and sold the same to A5 and A6 for the sale consideration of Rs.50 lakhs. In the above said transaction, these petitioners have signed as witnesses in the General Power of Attorney and

Settlement Deed knowing fully well that the above said documents are bogus one and received commission towards their participation in the commission of offence. During investigation it came to light that the purchasers have obtained Rs.70 lakhs from the State Bank of India on the security of the forged documents of the property. Investigation is pending. If the petitioners are released on bail, there is every possibility of tampering of evidence and thus seriously objects granting bail.

6. The allegation against the petitioners is that they signed as witnesses in the General Power of Attorney and Settlement Deed knowing fully well that the above said documents are forged one and received commission towards their participation in the alleged crime. Investigation is not yet completed. Some of the prime accused are yet to be arrested. The cheated amount is not yet recovered. In the above said circumstances, this court is not inclined to grant bail to the petitioners.

7. Petition is dismissed.

Delivered by me in open court today.

Principal Sessions Judge

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge**

Tuesday, the 2nd day of August, 2022

Crl.M.P.No. 13410/2022

in

P-5 MKB Nagar P.S. Crime No. 541/2022

Muralikrishnan

.. Petitioner/Accused

Vs.

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

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s. R. Sankarasubbu, A. Ramesh, P. Loganathan, A. Sivakumar @ Sivaji, S. Jeevanantham, S. Mathivanan, Counsel for the petitioner and of CPP for respondent and upon hearing them, this Court delivered the following :

ORDER

1. The petitioner, who was arrested on 16.7.2022 for the offence punishable under Section 341, 294(b), 323, 324, 397 and 506(ii) IPC in Crime No. 541/2022 on the file of the respondent police, seeks bail.

2. Heard both sides.

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. False case has been foisted on him only for statistical purpose. The petitioner is in custody from 16.7.2022. Hence, prays for granting bail.

4. The case of the prosecution is that, this petitioner waylaid the defacto complainant, and robbed Rs.500/- from him by showing wooden log. Hence, the complaint.

5. According to CPP, this petitioner is having 4 previous cases and out of which, two cases are murder case. Hence, he objects the grant of bail.

5. It is represented by the counsel for the petitioner that out of two murder cases, one case ended in acquittal. As far as this case is concerned, the petitioner is in custody for more than two weeks. Period for taking custodial interrogation is over. Major portion of investigation might have been complete by this time. Considering the above facts and the duration of custody, this court is inclined to grant bail to the petitioner subject to condition.

7. 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 10.00 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 in the open Court.

Principal Sessions Judge

Copy to :

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

vv

Crl.M.P.No. 13410/2022

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge**

Tuesday, the 2nd day of August, 2022

Crl.M.P.No. 13513/2022

in

P-5 MKB Nagar P.S. Crime No. 547/2022

Manikandan

.. Petitioner/Accused

Vs.

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

..Respondent/Complainant.

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

ORDER

1. The petitioner, who was arrested on 15.7.2022 for the offence punishable under Section 24(1) of COTP Act and sec. 328 IPC in Crime No. 547/2022 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that the petitioner is innocent. He is no way connected with the alleged offence. False case has been foisted on him only for statistical purpose. This petitioner has been falsely implicated in this case only due to mistaken identity. The petitioner has no bad antecedents. He is in custody from 15.7.2022 and prays for granting bail.

4. On the other hand, learned CPP submits that this petitioner was found in possession of 750 gram of banned tobacco products for sale at the time of search conducted by the police.

5. No previous case is reported against the petitioner. No one is reported as hospitalized after consuming the alleged contraband. The petitioner is in custody for more than two weeks. Period for taking custodial interrogation is over. Major portion of

investigation might have been completed by this time. Considering the above facts 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 10.00 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 in the open Court.

Principal Sessions Judge

Copy to :

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

vv

Crl.M.P.No. 13513/2022

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge**

Tuesday, the 2nd day of August, 2022

Crl.M.P.No. 13517/2022

in

K-10 Koyambedu P.S. Crime No. 226/2022

Dinesh @ Mandai Dinesh

.. 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 in the presence of M/s. N. Selvarajan, M. Jaikumar, L. Vinoth Kumar, P. Kamaraj, T. Lavanya, S.H. Vazhavan Karthikeyan, P.S. Mercy Gnanammal, Counsel for the petitioner and of CPP for the respondent and upon hearing them, this Court delivered the following

ORDER

1. The petitioner, who was arrested on 26.6.2022 for the offence punishable under Section 294(b), 341, 323, 336, 397 and 506(ii) IPC in Crime No. 226/2022 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that this petitioner is innocent of the offence. He has not committed any offence as alleged by the prosecution. Since this petitioner is having some previous cases, this false case has been foisted on him only for statistical purpose. The petitioner is in custody from 26.6.2022. Hence, prays for granting bail.

4. The case of the prosecution is that this petitioner waylaid the defacto complainant, and robbed Rs. 1500/- from him at knife point.

5. According to CPP, this petitioner is a habitual offender and having 6 previous cases. If he is released on bail, he will again indulge in similar nature of crime. Hence, he objects the grant of bail.

6. Considering the nature of offence and the bad antecedents of the petitioner, this court is not inclined to grant bail to the petitioner at present.

7. Petition is dismissed.

Delivered by me in open court today.

Principal Sessions Judge

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge**

Tuesday, the 2nd day of August, 2022

Crl.M.P.No. 13526/2022

in

K-10 Koyambedu P.S. Crime No. 225/2022

Dinesh @ Mandai Dinesh

.. 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 in the presence of M/s. N. Selvarajan, M. Jaikumar, L. Vinoth Kumar, P. Kamaraj, T. Lavanya, S.H. Vazhavan Karthikeyan, P.S. Mercy Gnanammal, Counsel for the petitioner and of CPP for the respondent and upon hearing them, this Court delivered the following

ORDER

1. The petitioner, who was arrested on 26.6.2022 for the offence punishable under Section 294(b), 341, 307 and 448 IPC in Crime No. 225/2022 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that this petitioner is innocent of the offence. He has not committed any offence as alleged by the prosecution. Since this petitioner is having some previous cases, this false case has been foisted on him only for statistical purpose. The petitioner is in custody from 26.6.2022. Hence, prays for granting bail.

4. The case of the prosecution is that due to previous enmity, this petitioner along with other accused persons attacked the defacto complainant using knife and caused multiple cut injuries to him. Hence, the complaint.

5. According to CPP, this petitioner is a habitual offender and having 6 previous cases. If he is released on bail, he will again indulge in similar nature of crime. Hence, he objects the grant of bail.

6. It is a case of 307 IPC. The allegation against the petitioner is that he along with other accused brutally attacked the complainant using knife due to previous enmity. Considering the nature of offence and the bad antecedents of the petitioner, this court is not inclined to grant bail to the petitioner at present.

7. Petition is dismissed.

Delivered by me in open court today.

Principal Sessions Judge

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge**

Tuesday, the 2nd day of August, 2022

CrI.M.P.No. 13652/2022

in

N-2 Kasimedu P.S. Crime No. 133/2022

Madhan Kumar

.. 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 in the presence of M/s. K. Devaraj, K. Subash, S. Kaviarasu, Counsel for the petitioner and of CPP for the respondent and upon hearing them, this Court delivered the following

ORDER

1. The petitioner, who was arrested on 24.6.2022 for the offence punishable under Section 294(b) and 307 IPC in Crime No. 133/2022 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that this petitioner is innocent of the offence. The defacto complainant is the mother-in-law of the petitioner. There exists dispute between the petitioner and his wife. An exaggerated complaint has been given. Injured has been discharged from the hospital. The petitioner has no bad antecedents. The petitioner is in custody from 24.6.2022. Hence, prays for granting bail.

4. On the other hand, learned CPP submits that on the date of occurrence, this petitioner picked up quarrel with his wife and abused her. When it was questioned by the defacto complainant, the accused assaulted her with broken bottle. The victim sustained injury on the face, right side chest and on her back shoulder. She was admitted to the

hospital and later discharged. He further submits that this petitioner is a habitual offender and he is having 9 previous cases. If he is released on bail, he will again indulge in similar nature of crime. Hence, he seriously objects the grant of bail.

5. Considering the nature of offence, bad antecedents of the petitioner and the objection raised by the CPP, this court is not inclined to grant bail to the petitioner at present.

6. Petition is dismissed.

Delivered by me in open court today.

Principal Sessions Judge

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge**

Tuesday, the 2nd day of August, 2022

Crl.M.P.No. 13275/2022

in

CCB, Bank Fraud Investigation Wing, Team-31 Crime No. 164/2020

Anil Kumar

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
Central Crime Branch,
Bank Fraud Investigation Wing, Team-31,
Egmore,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s. P. Raja, P. Kumanan, Supriya.R, M. Mathankumar, Counsel for the petitioner and of CPP for the respondent and upon hearing them, this Court delivered the following

ORDER

1. The petitioner, who was arrested on 20.7.2022 for the offence punishable under Section 420, 465, 467, 468, 471 r/w 120(B) IPC in Crime No. 164/2020 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that this petitioner is only a builder. He sold the land on behalf of the land owner and entered into an construction agreement cannot be burdened with loan for the default of the borrower. This petitioner has nothing to do with the allegations made in the FIR. All the proceedings are borne out by records. This petitioner is a victim of circumstances and he has been framed in this case by others. Actually, construction agreement entered between the petitioner and Sairam for 1410 Sq.feet. But, only 540 sq.ft. was handed over to the said Sairam. Complaint was not preferred by either Sairam or Aravind. This petitioner sold 6 plots to the purchasers as a

builder. Except that he has nothing to do with the alleged offence. He is in custody from 20.7.2022. Hence, prays for granting bail.

4. The case of the prosecution is that complaint was lodged by the Chief Regional Manager of Indian Overseas Bank, Regional Office, Chennai stating that A1 Sairam (borrower) approached the complainant bank for housing loan of Rs.42 lakhs for purchase of flat No. B1 with built up area 1410 sq.ft. ground floor at Abhinaya Garden, No.56, Kolapakkam Village and availed the loan. Later, the bank came to know that A1 Sairam along with this petitioner, who is a builder, colluded each other, produced fake documents and showed flat G1 as B1 and availed the loan. In addition, this petitioner already sold the above property to one Aravind by mentioning the house Number as G1 and availed housing loan from Syndicate Bank and mortgaged the same. Further, this petitioner has kept the same property in his possession and thus cheated the defacto complainant's bank. Hence, the complaint.

5. According to CPP, the investigation revealed that this petitioner had built an apartment consisting 6 flats at No.21, Abhinaya Garden, Kolapakkam. In that apartment, one flat G1 comprising 2 BHK and G2 comprising 1 BHK were built in ground floor. This petitioner already sold property G1 to one Aravind through Housing loan from Syndicate bank, Anna Salai Branch. This petitioner intentionally colluded with A1 Sairam, created fabricated documents and approached Indian Overseas Bank, Ethiraj Salai branch and availed housing loan to the tune of Rs.42 lakhs and failed to repay the EMI's from the beginning itself. Further, this petitioner through his associates intentionally replaced the flat number G1 as B1 and shown the same as 2 BHK flat to IOB officials which was already sold to one Aravind and the same is already in mortgage with Syndicate bank. Further, this petitioner has the possession of the property even though it was sold to Aravind and Sairam. During investigation, this petitioner confessed that two of his flats G1 and G2 in ground floor of Abhinaya Garden were left unsold for many days and his friends Parthasarathy and Sudar brought borrowers to buy the house through housing loan. For the fraud committed by this petitioner, he gave Rs.5 lakhs to Aravind and few lakhs to Sairam/A1. The cheated amounts from the above mentioned loans were transferred to one Thiraviyapandian and Saminathan for purchase of property at Rayala

Nagar in which he was cheated the above said persons with fabricated documents. He further submits that this petitioner is in the habit of changing his residence very often. Involvement of the accused persons also to be unearthed. The cheated amount is not yet recovered. Investigation is not yet completed. If the petitioner is released on bail, chances for his absconding is more. Hence, he objects the grant of bail.

6. The allegation against the petitioner is that he along with his associates intentionally replaced flat number G1 as B1 in Abhinaya Garden and shown the same as 2 BHK flat to Indian Overseas Bank officials and obtained housing loan of Rs.42 lakhs through A1 Sairam by producing fake documents, fake salary certificate etc. which was already sold to one Aravind and the same property was already under mortgage with Syndicate Bank and thus cheated the Indian Overseas bank officials. Considering the grave nature of offence, role played by the petitioner herein, cheated amount is not yet recovered and that investigation is not yet completed, this court is not inclined to grant bail to the petitioner at present.

7. Hence, this petition is dismissed.

Delivered by me in open court today.

Principal Sessions Judge

**IN THE COURT OF SPECIAL JUDGE AT CHENNAI
UNDER SC & ST (PREVENTION OF ATROCITIES) ACT
PRINCIPAL SESSIONS COURT, CHENNAI**

**Present: Tmt. S.Alli, M.L.,
Special Judge/Principal Sessions Judge ‘
Tuesday, the 2nd day of August, 2022**

CrI.M.P.No. 12931/2022

in

Crime No. 3/2022

(on the file of CBCID/OCU-I Unit)

V. Pavunraj

.. Petitioner/Accused

Vs

State by:

1. The Deputy Superintendent of Police,
OCU-I, CBCID,
Egmore,
Chennai.

.. Respondent/Complainant.

2. Vinoth

.. Respondent/Victim

The above petitions are coming on this day before me for hearing in the presence of M/s. R. Vivekanathan, S. Senthilmurugan, K. Nivesh Kumar, M. Kruthika, J. Mahesh, Counsel for the petitioner and of learned Special Public Prosecutor for SC & ST Act Cases and upon hearing them, this Court delivered the following:

ORDER

1. The petitioner, who was arrested on 7.5.2022 for the offence punishable under Section 176 Cr.P.C. and subsequently altered into sec. 302 IPC r/w 3(ii)(v) of SC/ST (POA) Act 1989 in Crime No. 3/2022 on the file of the respondent police seeks bail.

2. Heard both sides.

3. The learned counsel for the petitioner submits that this petitioner is innocent of the offence. On 19.4.2022, near Kelles Junction, during the routine patrol, this petitioner and one another person intercepted the deceased by name Vignesh and one Suresh @ Jollu Suresh and during such time, the deceased Vignesh had threatened the petitioner and other person by showing knife and flew away from the spot. This petitioner and another person chased the deceased, at that time, the deceased fell down and caught by the petitioner and

apprehended him. As the Secretariat Colony police station was functioning in a rented place, the deceased was kept in Ayanavaram police station for safe custody till morning 7.00 a.m. thereafter, he was shifted to Secretariat colony police station. After completion of his duty hours, this petitioner left the police station at 7.30 a.m. This petitioner is no way connected with the alleged offence.

It is further submitted that in order to fix this petitioner, the department had fixed his colleagues as approver as though this petitioner and other police personnels in the said station had beaten the deceased accused as a result of which the said accused Vignesh died and these petitioners and others had been called upon for enquiry by the higher officials and subsequently, remanded on 7.5.2022. The deceased accused Vignesh and Suresh alias Jollu Suresh are notorious criminals and they are facing several criminal cases. Even at the time of vehicle checkup, he had carried the cannabis and other drug items including the liquor which will clearly prove that he was under the influence of drugs and alcohol and it also transpired the deceased Vignesh does not belong to Scheduled Caste or Scheduled Tribe. There was no intention, or motive or plan to murder. In the absence of such ingredients, sec. 302 IPC does not arise against the petitioner. The petitioner is in custody from 7.5.2022 and prays for granting bail.

4. On the other hand, learned SPP submits that initially, case was registered u/s.176 Cr.P.C. Later, based on the statement of the witness Suresh @ Jollu Suresh, the section was altered into 302 IPC and 3(ii)(v) of SC & ST Act 1989. The investigation revealed that this petitioner/A1 along with other accused indiscriminately beaten the accused Vignesh and Suresh @ Jollu Suresh using PVC pipe and stainless steel rod at G5 Secretariat Colony Police Station during the police custody thereby Vignesh sustained injuries and died on 19.4.2022. Investigation is at preliminary stage. If the petitioner is released on bail, he would tamper the witnesses and hamper with the on-going investigation and chances for screening the evidence is more. He further submits that this petitioner instead of filing CrI.O.P., he preferred CrI.Apel No.620/2022 before the Hon'ble High Court. Hence, the same was dismissed as withdrawn on 12.7.2022. He further submits that Postmortem report is awaited. Hence, he seriously objects the granting of bail.

5. Further, on perusal of the Hon'ble High Court's order, it would clear, that this petitioner instead of filing CrI.O.P., he preferred CrI.Apel No.620/2022 before the

Hon'ble High Court. Hence, the same was dismissed as withdrawn on 12.7.2022. Though the name of the victim's brother Vinoth is mentioned as 2nd respondent/victim, he is not either victim or defacto complainant in this case and he has no locus standi to file counter. Actually, the Inspector of Police, G-5 Secretariat Colony Police is the complainant.

6. It is a case of custodial death. The allegation against the petitioner is that he along with other accused beaten the deceased Vignesh indiscriminately during police custody and due to which, the deceased died on 19.4.2022 and it is a case of custodial death. Based on the confession statement of one Suresh @ Jollu Suresh, the section was altered into 302 IPC and 3(ii)(v) of SC/ST Act 1989. As far as SC/ST Act is concerned, it will be decided only at the time of trial. As far as 302 IPC is concerned, it is alleged by the prosecution that it is a custodial death committed by the petitioner and other accused. This petitioner directly involved in the crime. According to SPP, for filing final report, time was extended. It is further represented by the SPP that now, the case is pending for obtaining the doctors opinion who conducted the postmortem, forensic department opinion with regard to viscera and etc., mobile analysis, CCTV footage analysis as well as examination of witnesses and collection of documents. At this stage, releasing the petitioner is not conducive for investigation. Considering the gravity of offence, the fact that investigation is not yet completed and the submission made by the SPP, this court is not inclined to grant bail to the petitioner at present.

7. Hence, this petition is dismissed.

Delivered by me today in the open Court.

Special Judge/Principal Sessions Judge

**IN THE COURT OF SPECIAL JUDGE AT CHENNAI
UNDER SC & ST (PREVENTION OF ATROCITIES) ACT
PRINCIPAL SESSIONS COURT, CHENNAI**

**Present: Tmt. S.Alli, M.L.,
Special Judge/Principal Sessions Judge ‘
Tuesday, the 2nd day of August, 2022**

Crl.M.P.No. 12932/2022

in

Crime No. 3/2022

(on the file of Inspector of Police, CBCID/OCU Unit)

1. M.G. Munaf
2. S. Kumar
3. P. Deepak
4. P. Jagajeevan
5. V. Chandrakumar

.. Petitioners/Accused

Vs

State by:

1. The Deputy Superintendent of Police,
OCU-I, CBCID, Egmore,
Chennai.

2. The Inspector of Police,
OCU-I, CBCID,
Chennai.

..Respondent/Complainant.

3. Vinoth

.. Respondent/Defacto complainant

This petition is coming on this day before me for hearing in the presence of M/s. P. Chandrasekar, T.A. Raghavan, M. Ajmal Khan, S. Poobalan, Counsel for the petitioners and of learned Special Public Prosecutor for SC & ST Act Cases and upon hearing them, this Court delivered the following:

ORDER

1. The petitioners, who were arrested on 7.5.2022 for the offence punishable under Section 176 Cr.P.C. and subsequently altered into sec. 302 IPC r/w 3(ii)(v) of SC/ST Act 1989 in Crime No. 3/2022 on the file of the respondent police seeks bail.

2. Heard both sides.

3. The learned counsel for the petitioners submits that the 1st petitioner M.G. Munaf is working as Head Constable in G-3 Kilpauk Police Station and subsequently, he had been

deputed on OD in G5 Secretariat Colony Police Station and he had been working as a writer in the said stations. The 2nd petitioner S. Kumar is working as Special Sub Inspector of Police, 2nd petitioner is a Home Guard helping the police personnels and he had used to help the police during the traffic situations in the morning and in the evening and some night rounds. The 4th petitioner is the AR Constable driving the gypsy patrol and 3rd petitioner is AR Constable G5 Secretariat Police Station. 5th petitioner is the AR Constable G5 Secretariat Police Station. On 19.4.2022, when the petitioners and other police personnels was on night duty in the Kellys Junction and was under routine vehicle checkup the accused by name Vignesh and Suresh alias Jollu Suresh had been coming in an Auto rickshaw bearing Reg. No. TN 14 F 5616, the other police officials and constables had stopped the said accused Vignesh and another, he had been answering in doubtful manner and also purposely mentioned wrong name and one of the Sub Inspector by name Pughazlum Perumal taken the photo of the accused and verified under FRS App in which if the persons are facing the criminal cases and charges, the records will be revealed in the said App and immediately within a few minutes when the information had come about the said Vignesh and Suresh alias Jollu Suresh, the police personnels who was on duty at that spot on 18.4.2022 around 11.45 p.m. immediately caught the said accused Vignesh and another who in turn had tried to escape from the spot and when the police personnel's with great difficult caught him and brought to them to K2 Ayanavaram Police Station, since the K2 Inspector was in charge for G5 Secretariat Police station, at that point of time, both the accused had been brought to the K2 Ayanavaram police station and on the next day, they had been brought to G5 Secretariat Police Station and kept under custody. These petitioners never committed any offence as alleged in the FIR. Since the deceased accused was in serious condition, it was intimated to higher officials. Initially, they taken him to a private hospital in Medavakkam area. Since, his condition was very bad, it was informed by the private hospital that his pulse is very bad and asked the police to take him to Government hospital. When, he had been brought to KMC hospital, he was declared dead by the doctors.

It is further submitted that in order to fix these petitioners, the department had fixed their colleagues as approver as though this petitioners and other police personnels in the said station had beaten the deceased accused as a result of which the said accused Vignesh died and these petitioners and others had been called upon for enquiry by the higher officials and

subsequently, remanded on 7.5.2022. The deceased accused Vignesh and Suresh alias Jollu Suresh are notorious criminals and they are facing several criminal cases. Even at the time of vehicle checkup, he had carried he cannabis and other drug items including the liquor which will clearly prove that he was under the influence of drugs and alcohol and it also transpired the deceased Vignesh does not belong to Schedule Caste of schedule Tribe. There was no intention, or motive or plan to murder. In the absence of such ingredients, sec. 302 IPC does not arise against the petitioners. The petitioners are in custody from 7.5.2022 and prays for granting bail.

4. On the other hand, learned SPP submits that initially, case was registered u/s.176 Cr.P.C. Later, based on the statement of the witness Suresh @ Jollu Suresh, the section was altered into 302 IPC and 3(ii)(v) of SC & ST Act 1989. The investigation revealed that these petitioners along with other accused indiscriminately beaten the accused Vignesh and Suresh @ Jollu Suresh using PVC pipe and stainless stell rod at G5 Secretariat Colony Police Station during the police custody thereby Vignesh sustained injuries and died on 19.4.2022. Investigation is at preliminary stage. If the petitioners are released on bail, they would tampet the witnesses and hamper with the on-going investigation and chances for screening the evidence is more. Hence, he seriously objects the granting of bail.

5. Further, on perusal of the Hon'ble High Court's order, it would clear, that this petitioners instead of filing Crl.O.P., they preferred Crl.Apeal Nos.585, 586, 587/2022 before the Hon'ble High Court. Hence, the same was dismissed as withdrawn on 12.7.2022. Though the name of the victim's brother Vinoth is mentioned as 3rd respondent/defacto complainant , he is not either victim or defacto complainant in this case and he has no locus standi to file counter. Actually, the Inspector of Police, G-5 Secretariat Colony Police is the complainant.

6. It is a case of custodial death. The allegation against the petitioners is that they along with other accused beaten the deceased Vignesh indiscriminately during police custody and due to which, the deceased died on 19.4.2022 and it is a case of custodial death. Based on the confession statement of one Suresh @ Jollu Suresh, the section was altered into 302 IPC and 3(ii)(v) of SC/ST Act 1989. As far as SC/ST Act is concerned, it will be decided only at the time of trial. As far as 302 IPC is concerned, it is alleged by the prosecution that it is a custodial death committed by the petitioner and other accused. This

petitioner directly involved in the crime. According to SPP, for filing final report, time was extended. It is further represented by the SPP that now, the case is pending for obtaining the doctors opinion who conducted postmortem, forensic department opinion with regard to viscera and etc., mobile analysis, CCTV footage analysis as well as examination of witnesses and collection of documents. At this stage, releasing the petitioner is not conducive for investigation. Considering the gravity of offence, the fact that investigation is not yet completed and the submission made by the SPP, this court is not inclined to grant bail to the petitioner at present.

7. Hence, this petition is dismissed.

Delivered by me today in the open Court.

Special Judge/Principal Sessions Judge

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Tuesday, the 2nd day of August, 2022**

CrI.M.P.No.13653/2022

in

C.1, Flower Bazaar P.S. Crime No.159/2022

Udayakumar

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
C.1, Flower Bazaar Police Station,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s. R. Saritha, M. Reena, Counsel for the petitioner and of CPP for the respondent and upon hearing them, this Court delivered the following

ORDER

1. The petitioner, who was arrested on 29.6.2022 for the offence punishable under Section 379 IPC in Crime No.159/2022 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that this petitioner is innocent. He has not committed any offence as alleged by the prosecution. The respondent police have foisted 3 cases simultaneously for statistical purpose. The petitioner is in custody from 29.6.2022 and prays for granting bail.

4. On the other hand, learned CPP submits that this petitioner snatched the cell phone from the defacto complainant, while he was talking on his phone, over the Bridge opposite to Central Railway Station. This petitioner is having three previous cases of similar nature. Property is not yet recovered. He objects the grant of bail stating that if the petitioner is released on bail, he will again indulge in similar offence.

5. Considering the nature of offence, bad antecedents, the fact that investigation is pending, this court is not inclined to grant bail to the petitioner at present.

6. Petition is dismissed.

Delivered by me in open court today.

nmk

Principal Sessions Judge

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Tuesday, the 2nd day of August, 2022**

CrI.M.P.No.13654/2022

in

C.1, Flower Bazaar P.S. Crime No.178/2022

Udayakumar

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
C.1, Flower Bazaar Police Station,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s. R. Saritha, M. Reena, Counsel for the petitioner and of CPP for the respondent and upon hearing them, this Court delivered the following

ORDER

1. The petitioner, who was arrested on 29.6.2022 for the offence punishable under Section 379 IPC in Crime No.178/2022 on the file of the respondent police, seeks bail.
2. Heard both sides.
3. Learned counsel for the petitioner submits that this petitioner is innocent. He has not committed any offence as alleged by the prosecution. The respondent police have foisted 3 cases simultaneously for statistical purpose. The petitioner is in custody from 29.6.2022 and prays for granting bail.
4. On the other hand, learned CPP submits that this petitioner snatched the cell phone from the defacto complainant. This petitioner is having three previous cases of similar nature. Property is not yet recovered. He objects the grant of bail stating that if the petitioner is released on bail, he will again indulge in similar offence.
5. Considering the nature of offence, bad antecedents, the fact that investigation is pending, this court is not inclined to grant bail to the petitioner at present.
6. Petition is dismissed.

Delivered by me in open court today.

nmk

Principal Sessions Judge

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Tuesday, the 2nd day of August, 2022**

CrI.M.P.No.13656/2022

in

C.1, Flower Bazaar P.S. Crime No.182/2022

Udayakumar

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
C.1, Flower Bazaar Police Station,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s. R. Saritha, M. Reena, Counsel for the petitioner and of CPP for the respondent and upon hearing them, this Court delivered the following

ORDER

1. The petitioner, who was arrested on 29.6.2022 for the offence punishable under Section 379 IPC in Crime No.182/2022 on the file of the respondent police, seeks bail.
2. Heard both sides.
3. Learned counsel for the petitioner submits that this petitioner is innocent. He has not committed any offence as alleged by the prosecution. The respondent police have foisted 3 cases simultaneously for statistical purpose. The petitioner is in custody from 29.6.2022 and prays for granting bail.
4. On the other hand, learned CPP submits that this petitioner snatched the cell phone from the defacto complainant in a moving bus and he was caught red handed with the help of the public and handed over to the respondent police. Cellphone has been recovered. However, this petitioner is having three previous cases of similar nature. He objects the grant of bail stating that if the petitioner is released on bail, he will again indulge in similar offence.

5. Considering the nature of offence, bad antecedents, the fact that investigation is pending, this court is not inclined to grant bail to the petitioner at present.

6. Petition is dismissed.

Delivered by me in open court today.

nmk

Principal Sessions Judge

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Tuesday, the 2nd day of August, 2022**

CrI.M.P.No.13655/2022

in

C.C.No.1995/2019

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

Pandiyan @ MayaKrishnan

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
C.2, Elephant Gate Police Station,
Chennai.

..Respondent/Complainant.

The above petition is coming on this day before me for hearing in the presence of M/s. R. Saritha, M. Reena, Counsel for the petitioner and of CPP for respondent and upon hearing them, this Court delivered the following :

ORDER

1. The petitioner, who was arrested on 5.7.2022 on execution of NBW for the offence punishable under Section 457, 380 IPC in C.C.No.1995/2019 in Cr.No.976/2017 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that due to illness, the petitioner was unable to appear before the trial court, due to which, NBW was issued against him on 18.4.2022 and the same was executed on 5.7.2022. The petitioner was regular in appearing before the Court prior to the issuance of NBW. The petitioner, hereinafter, undertakes to appear before the court regularly. Hence, prays for granting bail.

4. NBW was issued on 18.4.2022 and the same was executed on 5.7.2022. Till then the petitioner has not chosen to recall the warrant. No valid reason has been stated by the petitioner. The case is pending from 2019 without any progress. According to learned CPP, the case is pending for examination of witnesses and if the petitioner is released on bail,

again he will abscond and the case proceedings would be stalled. Under these circumstances, considering the stage of the case and the conduct of the petitioner, this court is not inclined to grant bail to the petitioner at present.

5. Petition is dismissed.

Delivered by me today in the open Court.

Principal Sessions Judge

nmk

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Tuesday, the 2nd day of August, 2022**

CrI.M.P.No.13659/2022

in

K.11, CMBT P.S. Crime No.257/2022

Shafic @ Vijayakumar

.. 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 in the presence of M/s. R. Rafi Babu, I. Sidharthan, K. Anand, Counsel for the petitioner and of CPP for the respondent and upon hearing them, this Court delivered the following

ORDER

1. The petitioner, who was arrested on 13.6.2022 for the offence punishable under Section 379 IPC in Crime No.257/2022 on the file of the respondent police, seeks bail.
2. Heard both sides.
3. Learned counsel for the petitioner submits that this petitioner is innocent. He is noway connected with the alleged offence. He has been falsely implicated in this case. The petitioner is in custody from 13.6.2022 and prays for granting bail.
4. On the other hand, learned CPP submits that this petitioner has committed theft of mobile phone from the defacto complainant, while he was sleeping at CMBT Bus terminus. The accused was handed over to the respondent police. However, he submits that the cellphone has been recovered and the petitioner has no previous case.
5. The petitioner is in custody for the past 51 days. According to learned CPP, the stolen property has been recovered and the petitioner has no previous case. Major portion of the investigation might have been completed by this time. Considering the duration of

custody, the fact that the petitioner is a first offender and the property has already been recovered, this court is inclined to grant bail to the petitioner on 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 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 10.00 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 in the open Court.

Principal Sessions Judge

Copy to :

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

nmk

Crl.M.P.No.13659/2022

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Tuesday, the 2nd day of August, 2022**

CrI.M.P.No.13660/2022

in

D.6, Anna Square P.S. Crime No.231/2022

F. Mohammed Mubeen

.. Petitioner/Accused.

Vs.

State Rep. by
The Inspector of Police,
D.6, Traffic Investigation Wing Police Station,
Anna Square,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s. G. Mohanakrishnan, A. Thirumaran, E. Ashok Kumar, R. Sridhar, G. Vinodh Kumar Counsel for the petitioner and the CPP for respondent, and upon hearing them, this Court delivered the following:

ORDER

1. The petitioner, who was arrested on 30.7.2022 for the offence punishable under Section 308 IPC and sec. 184 & 185 of M.V. Act in Crime No.231/2022 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that the petitioner is innocent. This petitioner drove his vehicle in a normal speed. It is only an accident. The victims have sustained only simply injury. Sec.308 IPC does not attract. The petitioner is in custody from 30.7.2022 and prays for granting bail.

4. On the other hand, learned CPP submits that under the influence of alcohol, this petitioner dove his motor cycle in a rash and negligent manner and dashed against the two wheeler and also hit the defacto complainant and another person. 3 persons were sustained injuries. Investigation is pending. However, he submits that the victims have sustained only simple injuries and they have been treated as out-patient.

5. It is a case of drunken driving. According to learned CPP, the victims have sustained only simple injury and they have been treated as out-patient. No previous case has been reported against the petitioner. Considering the above facts and the duration of custody, this court is inclined to grant bail to the petitioner on 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 VI 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 10.00 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 in the open Court.

Principal Sessions Judge

Copy to :

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

nmk

Crl.M.P.No.13660/2022

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Tuesday, the 2nd day of August, 2022**

CrI.M.P.No.13662/2022

in

K.1, Sembium P.S. Crime No.452/2022

Kirubai Raj

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
K.1, Sembium Police Station,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s. G. Sivakumar, K. Sujan Kumar, SK. Masthan, Counsel for the petitioner and of CPP for the respondent and upon hearing them, this Court delivered the following

ORDER

1. The petitioner, who was arrested on 30.6.2022 under P.T. Warrant for the offence punishable under Section 379 IPC in Crime No.452/2022 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that this petitioner is innocent. He is noway connected with the alleged offence. Since the petitioner is having previous cases, he has been falsely implicated in this case. In this case, he was arrested on 30.6.2022 under P.T. Warrant, since then he is in custody. Hence, prays for granting bail.

4. On the other hand, learned CPP submits that this petitioner, who came in a two wheeler has committed theft of mobile phone from the defacto complainant. The petitioner is having 3 previous cases and investigation is pending. However, he submits that the cellphone has been recovered.

5. The petitioner is in custody for the past 34 days. According to learned CPP, the petitioner is having 3 previous cases. However, as far as this case is concerned, stolen

property has been recovered. Major portion of the investigation might have been completed by this time. Considering the above facts and the duration of custody, this court is inclined to grant bail to the petitioner on 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 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 10.00 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 in the open Court.

Principal Sessions Judge

Copy to :

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

nmk

Crl.M.P.No.13662/2022

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Tuesday, the 2nd day of August, 2022**

CrI.M.P.No.13663/2022

in

F.2, Egmore P.S. Crime No.304/2022

1. Sasikumar
2. Rasukutti @ Karuppu .. Petitioners/Accused

Vs.

State Rep. by
The Inspector of Police,
F.2, Egmore Police Station,
Chennai. ..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s. K. Sujan Kumar, G. Sivakumar, SK. Masthan, Counsel for the petitioners and of CPP for the respondent and upon hearing them, this Court delivered the following

ORDER

1. The petitioners, who were arrested on 15.7.2022 for the offence punishable under Section 379 IPC in Crime No.304/2022 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioners submits that the petitioners are innocent. They are noway connected with the alleged offence. They have been falsely implicated in this case. They have no bad antecedents. The petitioners are in custody from 15.7.2022. Hence, prays for granting bail.

4. On the other hand, learned CPP submits that these petitioners A1 and A2 along with another accused had committed theft of gold chain weighing 4 grams from the defacto complainant. Investigation is pending. However, he submits that the gold chain has been recovered and the petitioners have no previous case.

5. The petitioners are in custody for the past 19 days. The period for taking custodial interrogation is over. According to learned CPP, stolen property has been

recovered and the petitioners have no previous case. Considering the above facts and the duration of custody, this court is inclined to grant bail to the petitioners on 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 XIV 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 10.00 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 in the open Court.

Principal Sessions Judge

Copy to :

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

nmk

Crl.M.P.No.13663/2022

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Tuesday, the 2nd day of August, 2022**

CrI.M.P.No.13665/2022

in

P.R.C.No.65/2022

in

H.6, R.K. Nagar P.S., Crime No.308/2022

Saravanan

.. 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 in the presence of M/s. S. Apunu, R. Kamesh, K. Subburaj, Counsel for the petitioner and the CPP for respondent, and upon hearing them, this Court delivered the following:

ORDER

1. The petitioner, who was arrested 19.5.2022 for the offence punishable under Section 341, 294(b), 302 IPC in Crime No.308/2022 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that the petitioner is innocent. He is noway connected with the alleged offence. He was not at all present in the scene of occurrence. A1 and A2 alone had previous enmity with the deceased. Being the friend of A1, this petitioner has been falsely implicated in this case and arrayed as A3. Investigation is over and charge sheet has been filed and taken on file in PRC.No.65/2022. The petitioner is for the past 76 days. Hence, prays for granting bail.

4. On the other hand, learned CPP submits that it is a pre-planned murder. Due to previous enmity, this petitioner/A3 along with other accused attacked the deceased indiscriminately using knife and murdered the deceased. Charge sheet has been filed and the same was taken on file in PRC.No.65/2022 and the prosecution is taking steps to

conduct speedy trial. He further submits that the petitioner is having 13 previous cases including 307 cases and cases under POCSO Act. He seriously objects granting bail stating that if the petitioner is released on bail, there is every possibility of his abscondence and the case proceedings would be stalled.

5. It is a case of 302 IPC. Already charge sheet has been filed and the case is pending in PRC.No.65/2022. However, according to learned CPP, the petitioner is having 13 previous cases to his credit including the cases u/s.307 IPC and under the POCSO Act. Considering the bad antecedents, the conduct of the petitioner and the serious objection raised by learned CPP, this court is not inclined to grant bail to the petitioner at this juncture.

6. Hence, this petition is dismissed.

Delivered by me today in the open Court.

Principal Sessions Judge

nmk

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Tuesday, the 2nd day of August, 2022**

Crl.M.P.Nos.13666 and 13667 of 2022

in

B.2, Esplanade P.S. Crime No.245/2022

Surya .. Petitioner/Accused in
Crl.M.P.No.13666/2022

Sathish .. Petitioner/Accused in
Crl.M.P.No.13667/2022

Vs.

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

..Respondent/Complainant in
both the petitions.

The above petitions are coming on this day before me for hearing in the presence of M/s. S. Apunu, R. Kamesh, K. Subburaj, Counsel for the petitioners in both the petitions and of CPP for respondent and upon hearing them, this Court delivered the following :

COMMON ORDER

1. The petitioners, who were arrested on 17.7.2022 for the offence punishable under Section 341, 294(b), 324, 506(ii) IPC @ Sec.341, 294(b), 324, 307, 336, 427, 506(ii) of IPC in Crime No.245/2022 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioners submits that petitioners are innocent. They are noway connected with the alleged offence. They have been falsely implicated in this case. Injured has been discharged from the hospital. The petitioners are in custody from 17.7.2022 and prays for granting bail.

4. On the other hand, learned CPP submits that due to previous enmity, these petitioners along with another accused attacked the defacto complainant's husband using knife. The victim sustained injury on the head and was admitted to the hospital as in-

patient for 3 days and later got discharged. He further submits that the petitioner/Surya has no previous case and the petitioner/Sathish is having three previous case. Investigation is pending. He objects granting bail.

5. The petitioners are in custody for the past 17 days. The period for taking custodial interrogation is over. According to learned CPP, Sathish is having three previous cases. However, as far as this case is concerned, injured has been discharged from the hospital. Surya is not having any previous case as reported by learned CPP. Considering the above facts and the duration of custody, this court is inclined to grant bail to the petitioners on 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 VII 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 10.00 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 in the open Court.

Principal Sessions Judge

Copy to :

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

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Tuesday, the 2nd day of August, 2022**

CrI.M.P.No. 13664/2022

in

S.C.No.192/2022

(on the file of I Additional Sessions Court, Chennai)

in

R.4, Pondy Bazaar P.S. Crime No.1075/2002

R. Ramakrishnan

.. Petitioner/Accused.

Vs.

State Rep. by
The Inspector of Police,
R.4, Pondy Bazaar Police Station,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of Mr. A. Abdul Rahman, Counsel for the petitioner and the CPP for respondent, and upon hearing them, this Court delivered the following:

ORDER

1. The petitioner, who was arrested on 13.6.2022 for the offence punishable under Section 302, 397, 380, 449, 392 r/w 120B & 506(ii) IPC in Crime No.1075/2002 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that the petitioner is innocent. He is noway connected with the alleged offence. He has been arrayed as A3 based on the confession statement of co-accused. The respondent police has filed charge sheet by showing this accused in the absconding column and the same was taken on file in P.R.C.No.86/2002. Subsequently, the case has been split up in P.R.C.No.109/2022 for A2 and A3. Thereafter, the case was split up in P.R.C.No.120/2011 as against this petitioner. The petitioner is not aware of the case against him. Only at the time of arrest, he came to know about the registration of case against him. S.C No.407/2011 was conducted against

A1 and A2 and it was ended in acquittal. This petitioner is in custody from 13.6.2022 and hence, prays for granting bail.

4. The case of the prosecution is that this petitioner along with two other accused trespassed into the deceased house murdered him and stolen away cash Rs.20 lakhs, 5 sovereigns of gold ornaments and one Camera.

5. According to CPP, it is a case of murder for gain. Totally 3 accused involved in this case and this petitioner is arrayed as A3. Occurrence took place in the year 2002. But, the petitioner was absconded for the past 20 years and now only the respondent police is able to arrest the petitioner after much effort. Due to the absence of the petitioner, the case has been split up in PRC.No.120/2011 against this petitioner and after arrest of the petitioner, the case has been committed to Court of Sessions and is pending in S.C.No.192/2022 on the file of the I Additional Sessions Court, Chennai. If he is released on bail, again, there is every possibility of his abscondence. Hence, he seriously objects the grant of bail.

6. It is a case of murder for gain. Occurrence had taken place in the year 2002. This petitioner was absconded for the past 20 years and only on 13.6.2022 he was arrested. Due to the absence of the petitioner, the case has been split up against this petitioner in PRC.No.120/2021 and the same has been committed to the Court of Sessions only on 13.6.2022 after the arrest of the petitioner and is pending in S.C.No.192/2022. Though it is stated in the petition that the petitioner was unaware of the pendency of the case till his arrest and absconding charge sheet has been filed by the respondent police, when the Court raised query, whether the petitioner was granted bail in the earlier occasion or not, the learned counsel for the petitioner was not able to clarify about the status of the petitioner. The case against the co-accused ended in acquittal alone is not a ground for granting bail to the petitioner. The learned counsel for the petitioner has not furnished correct particulars. Under these circumstances, considering the nature of offence, stage of the case and the objection raised by the CPP, this court is not inclined to grant bail to him.

7. Petition is dismissed.

Delivered by me today in the open Court.

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Tuesday, the 2nd day of August, 2022**

Crl.M.P.No.12910/2022

in

CCB-I, Cr.No.125/2022

Shankar

.. Petitioner/Accused.

Vs.

State Rep. by
The Inspector of Police,
Central Crime Branch-I,(Land Grabbing)
Chennai.

..Respondent/Complainant.

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

ORDER

1. The petitioner, apprehending arrest at the hands of the respondent police, for the alleged offence u/s. 420, 465, 467, 468, 471, 120B of IPC in Cr.No.125/2022 on the file of the respondent police, seeks anticipatory bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that the petitioner is innocent. The petitioner is acted as an agent in the business of purchase of land and construction of buildings. Petitioner believed that the parent documents are genuine and based on which, he was appointed as Power of Attorney by Mr. Rakesh and the Power of Attorney is a registered document. In pursuance of the Power Deed, the petitioner made construction. In fact, the planning approval for construction was obtained by the Principal Mr. Rakesh. The petitioner had acted as agent of the principal. The petitioner has nothing to do with the forgery committed by the principal. A1 and A2 alone committed the misdeeds. Being the Power of Attorney, this petitioner has been falsely implicated in this case. The petitioner himself is a victim. The petitioner has no criminal intention. As per FIR, there is no specific overt act as against the petitioner involving the commission of forgery. The dispute is purely civil in nature. He has no bad antecedent. Hence, prays for granting anticipatory bail.

4. On the other hand, learned CPP submits that this petitioner in collusion with other accused tried to grab the property of the defacto complainant by way of impersonation and fabricating the documents. A1/Rakesh and A2/Antony had impersonated themselves as legal heirs of original owner Mr. S. Francis Sundarraj, father of the defacto complainant and obtained bogus legal heirship certificate. Based on which, A2/Antony had executed fake Release Deed in favour of A1/Rakesh in respect of the property at Mogappair measuring an extent of 886 sq.ft. belonged to the father of the defacto complainant. A1 had executed a Power of Attorney in favour of this petitioner/A3, who in turn sold the property to Manivannan and his wife for a sale consideration of Rs.70 lakhs. This petitioner is also actively participated in the offence. Investigation is pending and other absconding accused are yet to be secured. He had also furnished the copy of the death certificates of the parents of the defacto complainant and the legal heirship obtained by way of forgery by the accused.

5. As per the averments in the FIR, A1/Rakesh and A2/Antony had obtained legal heirship Certificate by impersonating themselves as legal heirs of the original owner S. Francis Sundarraj by producing forged death certificates. In pursuance of the same, A2 had executed the release deed in favour of A1. The allegation against the present petitioner is that he was appointed as Power of Attorney by A1 and based on which, he had sold the property to one Manivannan and his wife. The learned counsel for the petitioner submits that he had acted only as an agent of the Principal and he is noway connected with the alleged forgery and impersonation committed by A1 and A2. According to learned CPP, this petitioner has also colluded with other accused and committed the offence. Even as per FIR, the entire allegation of impersonation and forgery is against A1 and A2 and the petitioner had sold the property to third parties as Power Agent of Principal. Also, there is no mention in the complaint to the fact that the petitioner has involved in the forging of documents and the alleged transaction. Under these circumstances, the arguments put forth by the counsel for the petitioner has some force. The dispute appears to be civil in nature and the custodial interrogation of the petitioner is not necessary. Considering the above facts, 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 this order, before the learned Special Metropolitan Magistrate, Exclusive Trial of Land Grabbing Cases Court I, 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 10.00 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 in the open Court.

Principal Sessions Judge

Copies to:

1. Learned Special Metropolitan Magistrate
Exclusive trial of Land Grabbing Cases Court-I, Chennai.
2. CPP, Chennai.
3. The Inspector of Police, CCB-I, Land Grabbing Chennai.

nmk

Crl.M.P.No.12910/2022