

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Saturday, the 4th day of December, 2021.

Crl.M.P.No.21703/2021

in

Crl.M.P.No.16115/2021

in

Crime No.352/2021

Elayaraja Settu

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
Traffic Investigation Wing,
Guindy Police Station,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence M/s.V.Nageswari and S.Kartik, counsel for the petitioner and of CPP for respondent and upon hearing both sides, this Court delivered the following :

ORDER

1. The petitioner seeks relaxation of the condition imposed by this court in Crl.M.P.No.16115/2021, dt: 20.9.2021.
2. The petitioner was granted bail by this court in Crl.M.P.No.16115/2021, dated 20.9.2021 with condition to appear before the respondent police daily at 10.30 a.m. until further orders.
3. Learned CPP submits that the petitioner has complied the condition till 2.12.2021.
4. The petitioner has complied the condition for more than two months. Considering the nature of case and the number of days complied, this court is inclined to relax the condition.
5. (i) Petition is allowed.
(ii) Condition is relaxed in toto.

Delivered by me today in open court.

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Saturday, the 4th day of December, 2021.

Crl.M.P.No.21704/2021

in

Crl.M.P.No.19484/2021

in

Crime No.168/2021

Subramanian

.. Petitioner/Accused

Vs.

State Rep. by

The Inspector of Police,

CCB Bank Fraud Cell, Team-39, Vepery,

Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence M/s.MF Shabana, P.Sathyanathan, counsel for the petitioner and of CPP for respondent and upon hearing both sides, this Court delivered the following :

ORDER

1. The petitioner seeks relaxation of the condition imposed by this court in Crl.M.P.No.19484/2021, dt: 10.11.2021.

2. The petitioner was granted anticipatory bail by this court in Crl.M.P.No.19484/2021, dated 10.11.2021 with condition to appear before the respondent police daily at 10.30 a.m. until further orders.

3. Learned CPP submits that the petitioner has complied the condition for 13 days.

4. The petitioner has complied the condition for 13 days. Considering the nature of case and the 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 Sunday at 10.30 a.m. until further orders.”

Delivered by me today in open court.

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Saturday, the 4th day of December, 2021.

Crl.M.P.No.21705/2021

in

Crl.M.P.No.14863/2021

in

S.C.No.125/2021

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

in

Crime No.590/2013

Anandhan @ Mandai Anandhan

.. 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.B.J.Santhosh Kumar, P.Ranjith Kannan and B.L.Sankar, Counsel for the petitioner and of CPP for respondent and upon hearing both sides, this Court delivered the following :

ORDER

1. The petitioner seeks relaxation of the condition imposed by this court in Crl.M.P.No.14863/2021, dt: 4.9.2021.
2. The petitioner was granted bail by this court in Crl.M.P.No.14863/2021, dated 4.9.2021 with condition to appear before the learned XXIII Additional Sessions Judge, Chennai daily at 10.30 a.m. until further orders.
3. Learned CPP submits that the petitioner has complied the condition till 2.12.2021.
4. The petitioner has complied the condition for about three months. Considering the nature of case and the number of days complied, this court is inclined to relax the condition.
5. (i) Petition is allowed.
(ii) Condition is relaxed in toto.

Delivered by me today in open court.

IN THE COURT OF SESSIONS AT CHENNAI

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

Saturday, the 4th day of December, 2021

Crl.M.P.No.21496/2021

in

F4 Thousand Lights P.S. Crime No.366/2021

Sivaraman

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
F4 Thousand Lights Police Station,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s.G.Sivakumar, Sampath, S.K.Masthan, Counsel for the petitioner and of CPP for respondent and upon hearing both sides, this Court delivered the following :

ORDER

1. The petitioner, who was arrested on 19.11.2021 for the offences punishable under Section 269, 328, 353, 506(i) IPC & 24(1) COTP Act in Crime No.366/2021 on the file of the respondent police, seeks bail.

2. Learned counsel for the petitioner submits that the petitioner is innocent and he has not committed any offence as alleged. The petitioner is in custody from 19.11.2021 and prays for granting bail.

3. On the other hand, the learned CPP submits that the petitioner was found in possession of 165 pockets Hans, 45 pockets of Remo, 420 pockets of Vimal Panmasala, 480 pockets of tobacco, 24 pockets of Coollip. The police have recovered the same along with cash Rs.1,000/- However, he submits that the petitioner has no previous case.

4. No previous case is reported. No one was hospitalised for consuming the tobacco products. The petitioner is in custody for two weeks. Considering the nature of case and duration of custody, this court is inclined to grant bail.

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 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 petitioner shall appear before the respondent police daily at 10.30 a.m. for two weeks.

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

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

(e) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K. Shaji Vs. State of Kerala [(2005) AIR SCW 5560]**.

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

Delivered by me today.

Principal Sessions Judge.

Copy to :

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

ss

Crl.M.P.No.21496/2021

IN THE COURT OF SESSIONS AT CHENNAI

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

Saturday, the 4th day of December, 2021

Crl.M.P.No.21753/2021

in

K10 Koyambedu P.S. Crime No.1141/2021

Navaneethi Krishnan

.. Petitioner/Accused

Vs.

State Rep. by
The Sub Inspector of Police,
K10 Koyambedu Police Station,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s.S.Thiyagarajan, V.Manimaran, A.Tamilselvan, Counsel for the petitioner and of CPP for respondent and upon hearing both sides, this Court delivered the following :

ORDER

1. The petitioner, who was arrested on 20.10.2021 for the offences punishable under Section 379 of IPC in Crime No.1141/2021 on the file of the respondent police, seeks bail.

2. Learned counsel for the petitioner submits that the petitioner is innocent and he has not committed any offence as alleged. He is in custody from 20.10.2021 and prays for bail.

3. On the other hand, the learned CPP submits that the petitioner committed theft of two-wheeler. He is having two previous cases.

4. The petitioner is in custody for more than a months. Considering the nature of case and duration of custody, this court is inclined to grant bail.

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 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K. Shaji Vs. State of Kerala [(2005) AIR SCW 5560]**.

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

Delivered by me today.

Principal Sessions Judge.

Copy to :

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

ss

CrI.M.P.No.21753/2021

IN THE COURT OF SESSIONS AT CHENNAI

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

Saturday, the 4th day of December, 2021

Crl.M.P.No.21757/2021

in

J6 Thiruvanmiyur P.S. Crime No.852/2021

1.Sundara Moorthy
2.Vikram

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
J6 Thiruvanmiyur Police Station,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s.I.S.Samuel, V.Ramachandra Moorthy, Counsel for the petitioner and of CPP for respondent and upon hearing both sides, this Court delivered the following :

ORDER

1. The petitioners, who were arrested on 19.11.2021 for the offences punishable under Section 395 of IPC in Crime No.852/2021 on the file of the respondent police, seek bail.

2. Learned counsel for the petitioners submits that the petitioners are innocent and they have not committed any offence as alleged. Co-accused has been granted bail by this court in Crl.M.P.No.21679/2021, dated 3.12.2021. They are in custody from 19.11.2021 and prays for bail.

3. On the other hand, the learned CPP submits that the petitioners and others waylaid the defacto complainant's son and robbed his cheppal and cash Rs.500/-

4. Co-accused has been granted bail. The petitioners are in custody for two weeks. Considering the nature of case and duration of custody, this court is inclined to grant bail.

5. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- each (Rupees ten thousand only) with two sureties each for a

likesum to the satisfaction of the learned XVIII Metropolitan Magistrate, Chennai and on further condition that

(a) the sureties shall affix their photographs and Left Thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity.

(b) 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 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 XVIII Metropolitan Magistrate, Saidapet, Chennai.
2. The Superintendent, Chengalpet Prison.

ss

Crl.M.P.No.21757/2021

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Saturday, the 4th day of December, 2021

CrI.M.P.No.21709/2021

in

N-4 Fishing Harbour P.S. Crime No.1067/2020

G.Surendra Prasath

.. Petitioner/Accused

Vs.

State Rep. by

The Inspector of Police,

N-4, Fishing Harbour Police Station,

Fishing Harbour, Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s.G.Sridhar, S.Sasidaran, Counsel for the petitioner and of CPP for respondent and upon hearing both sides, this Court delivered the following :

ORDER

1. The petitioner, who apprehends arrest by the respondent police for the alleged offences punishable u/s 147, 148, 448, 294(b), 323, 324, 307 and 506(ii) of IPC in Crime No.1067/2020 on the file of the respondent police, seeks anticipatory bail.

2. The learned counsel appearing for the petitioner submits that the petitioner is innocent and he has not committed any offence as alleged. There is matrimonial dispute between A1 and defacto complainant. The petitioner is the brother-in-law of A1. Co-accused /A1 and A2 were arrested and released on bail. The petitioner apprehends arrest and prays for bail.

3. On the other hand, the learned CPP submits that the victim sustained head injury and objects granting anticipatory bail.

4. The present petitioner is the brother-in-law of A1, namely, the defacto complainant's husband. There are specific overtact against the main accused. They were arrested and released on bail. The occurrence took place in the year 2020. Considering the above aspects, this court is inclined to grant anticipatory bail.

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 this order, before the XVI Metropolitan Magistrate, George Town, 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, George Town, Chennai.
2. CPP, Chennai.
3. The Inspector of Police, N-4, Fishing Harbour Police Station, Chennai.

SS

Crl.M.P.No.21709/2021

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Saturday, the 4th day of December, 2021

Crl.M.P.No.21706/2021

in

Crl.M.P.No.17399/2021

in

Crime No.171/2021

V.G.P.Babudas

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
Central Crime Branch-I,
Vepery, Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence M/s.L.Infant Dinesh, R.Surendar, A.John, K.Ragavan, counsel for the petitioner and of CPP for respondent and upon hearing both sides, this Court delivered the following :

ORDER

1. The petitioner seeks relaxation of the condition imposed by this court in Crl.M.P.No.17399/2021, dt: 20.10.2021.
2. The petitioner was granted anticipatory bail by this court in Crl.M.P.No.17399/2021, dated 20.10.2021 with condition to appear before the respondent police daily at 10.30 a.m. until further orders.
3. Learned CPP submits that the petitioner has complied the condition from 17.11.2021 to till date.
4. The petitioner has complied the condition for 17 days. Considering the nature of case and the 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 in open court.

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Saturday, the 4th day of December, 2021

Crl.M.P.No.21707/2021

in

Crl.M.P.No.17729/2021

in

S.C.No.321 of 2018

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

in

Crime No.1262/2014

Vinayagam

.. Petitioner/Accused

Vs.

State Rep. by

The Inspector of Police,

F2 Egmore Police Station,

Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence M/s.M.Roselet Helen, counsel for the petitioner and of CPP for respondent and upon hearing both sides, this Court delivered the following :

ORDER

1. The petitioner seeks relaxation of the condition imposed by this court in Crl.M.P.No.17729/2021, dt: 7.10.2021.
2. The petitioner was granted bail by this court in Crl.M.P.No.17729/2021, dated 7.10.2021 with condition to appear before the II Additional Sessions Court, Chennai daily at 10.30 a.m. until further orders.
3. Learned CPP submits that the petitioner has complied the condition for 31 days.
4. The petitioner has complied the condition for 31 days. Considering the nature of case and the number of days complied, this court is inclined to relax the condition.
5. (i) Petition is allowed.
(ii) Condition is relaxed in toto.

Delivered by me today in open court.

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Saturday, the 4th day of December, 2021

Crl.M.P.No.21710/2021

in

Crl.M.P.No.17513/2021

in

Crime No.2670/2021

Vicky @ Vigneshwaran

.. Petitioner/Accused

Vs.

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

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s.R.Kannabiran, S.Selvarajan, Counsel for the petitioner and of CPP for respondent and upon hearing both sides, this Court delivered the following :

ORDER

1. The petitioner seeks modification of the condition imposed by this court in Crl.M.P.No.17513/2021, dt: 5.10.2021.
2. The petitioner was granted bail by this court in Crl.M.P.No.17513/2021, dated 5.10.2021 with various conditions and one such condition is that the petitioner shall appear before the respondent police daily at 10 a.m. for two weeks. According to the petitioner's counsel, when the petitioner went to the police station for complying the condition, they did not permit him to sign and harassed him. Thus, he seeks for modification of the condition.
3. On the other hand, the learned CPP submits that the petitioner has not complied the condition for a single day.
4. However, the petition has been filed after a month. Considering the reasons stated by the petitioner, this court is inclined to modify the condition as follows :
"The petitioner shall appear before the Judicial Magistrate No.I, Chengaplet daily at 10.30 a.m. for two weeks."

Delivered by me today in open court.

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Saturday, the 4th day of December, 2021

Crl.M.P.No.21714/2021

in

Crl.M.P.No.19260/2021

in

Crl.M.P.No.21834/2018

in

E.O.C.C.No.141/2019

(On the file of the Court of Addl.C.M.M., EO-II, Egmore, Chennai)

in

R.R.No.37/2018

in

O.S.No.56/2019 INT-Air

(On the file of Assistant Commissioner of Customs, Prosecution Unit(Air),

New Customs House, Chennai

Abdul Khader

.. Petitioner/Petitioner/Accused.

Vs.

- 1.The Senior Intelligence Officer,
Directorate of Revenue Intelligence,
T.Nagar, Chennai.
- 2.The Assistant Commissioner of Customs,
Prosecution Unit (Air),
New Customs House,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s.T.Sivananthan, M.Anitha, Counsel for the petitioner and of CPP for respondent and upon hearing both sides, this Court delivered the following :

ORDER

1. The petitioner seeks to amend the name of the petitioner in the modification order passed in Crl.M.P.No.19260/2021, dt: 15.11.2021.
2. The learned counsel for the petitioner submits that in the modification petition, the name of the petitioner has been mentioned as “W.A.Abdul Khader” instead of “A.W.Abdul

Khader”, due to which the petitioner could not comply the order, thus, prays for amendment of the name of the petitioner in the modification order.

3. Considering the reasons stated by the petitioner, this court is inclined to order amendment of name of the petitioner in the order passed in CrI.M.P.No.19260/2021.

5. (i) Petition is allowed.

(ii) Office is directed to amend the name of the petitioner in the order passed in CrI.M.P.No.19260/2021, dated 15.11.2021.

Delivered by me today in open court.

ss

Principal Sessions Judge.

IN THE COURT OF SESSIONS AT CHENNAI

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

Saturday, the 4th day of December, 2021

Crl.M.P.No.20864/2021

in

K4 Anna Nagar P.S. Crime No.615/2021

- 1.Keerthi
- 2.Raji
- 3.Lawrence @ Lara
- 4.Mathivanan @ Mathi

.. Petitioners/Accused

Vs.

State Rep. by
The Inspector of Police,
K4, Anna Nagar Police Station,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s.M.Ravikumar, Geetha Ravikumar, M.Pravin, Counsel for the petitioner and of CPP for respondent and upon hearing both sides, this Court delivered the following :

ORDER

1. The petitioners, who were arrested on 12.10.2021 for the offences punishable under Section 147, 148, 302, 341 IPC @ 120(B), 147, 148, 302, 341 of IPC in Crime No.615/2021 on the file of the respondent police, seek bail.

2. Learned counsel for the petitioner submits that implication of the petitioners in the case is not proper. As per the complaint, the defacto complainant given the complaint against the petitioners and others as if he was following his father in another vehicle. In fact, it is not so. The complainant could not have been at the place of occurrence. Even the CCTV footage indicates the absence of the defacto complainant in the scene of occurrence. Apart from that some other accused were granted bail by the Hon'ble High Court and prays for bail.

3. On the other hand, the learned CPP submits that the petitioners are rowdy elements and paid hooligans, involved in a murder in public road and objects granting bail.

4. On perusal of the bail order of the Hon'ble High Court in Crl.O.P.No.18427/2021, A6 and A8 were released on bail after the incarceration of about 1 ½ months. Further, it appears they are ladies. Another bail, which was granted on 18.11.2021 by the Hon'ble High Court in Crl.O.P.No.21585/2021, the date of arrest of the accused was 19.8.2021, that is, nearly after 3 months. That orders cannot be a precedent for granting bail for the petitioners. They were in custody only for a period of 48 days respectively. Considering the short duration of custody and specific overtact of the petitioners and grave nature of offence, this court is not inclined to grant bail.

5. Petition is dismissed.

Delivered by me today.

SS

Principal Sessions Judge.

IN THE COURT OF SESSIONS AT CHENNAI

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

Saturday, the 4th day of December, 2021

Crl.M.P.No.21037/2021

in

CCB-I P.S. Crime No.9/2020

B.Lokesh

.. Petitioner/Accused

Vs.

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

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s.E.C.Ramesh, V.Dhanalakshmi, Counsel for the petitioner and of CPP for respondent and upon hearing both sides, this Court delivered the following :

ORDER

1. The petitioner, who was arrested on 28.10.2021 for the offences punishable under Section 120(B), 420, 467, 468, 471 of IPC r/w Sec. 66D, 66C and 43 of Information Technology Act in Crime No.9/2020 on the file of the respondent police, seeks bail.

2. Learned counsel for the petitioner submits that the case of the prosecution is that the petitioner cheated Rs.4,500/- under the guise of providing finance by Crystal Micro Finance. In order to get loan, she had been asked to deposit Rs.4,500/- and that money of Rs.4,500/- was transferred to the account of the petitioner. He is prepared to make payment of Rs.4,500/- if ordered by the court. He is innocent and prays for bail.

3. On the other hand, the learned CPP submits that the earlier petition was dismissed by this court. There is no change of circumstances. Nearly 170 complaints of this nature is under investigation in Cr.No.9/2020 and objects granting bail.

4. On perusal of the C.D., it appears, the case was registered on the complaint given by one Vincent as if there are several OTP Online frauds. During the course of investigation, this petitioner was fixed in respect of Rs.4,500/- credited into his account. The confession statement does not reveal connection between the petitioner and the prime

accused residing at Delhi. The petitioner is residing at Salem and he is ready to produce sufficient sureties. Considering the duration of custody, this court is inclined to grant bail on condition to deposit Rs.5,000/-

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 (both the sureties must be the blood relative of the petitioner) for a likesum to the satisfaction of the learned CCB and CBCID 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 deposit a sum of Rs.5,000/- (Rupees five thousand only) before the said court and the final order in respect of the amount will be passed at the end of the criminal proceedings by the trial court.

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

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

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

(f) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K. Shaji Vs. State of Kerala [(2005) AIR SCW 5560]**.

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

Delivered by me today.

Principal Sessions Judge.

Copy to :

1. The learned CCB & CBCID Metropolitan Magistrate, Egmore, Chennai.
2. The Superintendent, Central Prison, Puzhal, Chennai.

ss

Crl.M.P.No.21037/2021

IN THE COURT OF SESSIONS AT CHENNAI

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

Saturday, the 4th day of December, 2021

Crl.M.P.No.21586/2021

in

CCB-I P.S. Crime No.104/2018

K.Abdul Hameed @ Abdul Amith @ Raja

.. Petitioner/Accused

Vs.

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

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s.S.Ashok Kumar, M.Vijayaragavan, Counsel for the petitioner and of CPP for respondent and upon hearing both sides, this Court delivered the following :

ORDER

1. The petitioner, who was arrested on 15.11.2021 for the offences punishable under Section 420, 465, 468 r/w 120(B) of IPC in Crime No.104/2018 on the file of the respondent police, seeks bail.

2. Learned counsel for the petitioner submits that the petitioner is innocent and he has not committed any offence as alleged. Co-accused was granted bail by the Magistrate in Crl.M.P.No.21909/2021 dated 12.10.2021. The petitioner is in custody from 15.11.2021 and prays for bail.

3. On the other hand, the learned CPP submits that it is a case of job-racketing and objects granting bail.

4. The petitioner and others cheated several persons under the guise of providing employment in the TNEB. The amount alleged to have been cheated is more than Rs.60 lakhs. The particulars of other accused is under investigation. Co-accused was released on statutory bail. The accused is in custody only for a period of two weeks. Under such circumstances, this court is not inclined to grant bail.

5. Petition is dismissed.

Delivered by me today.

ss

Principal Sessions Judge.

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Saturday, the 4th day of December, 2021.

Crl.M.P.No.21817/2021

in

C.A.No.193/2021

in

C.C.No.7622/2016

(on the file of the Metropolitan Magistrate, FTC-I, Egmore @ Allikulam, Chennai)

1. M/s.City Cine Creations,
Rep. by its partner Sathishkumar.
2. G.Sathishkumar.

...Petitioners/Appellants/Accused

Vs.

M/s.SPI Cinemas Pvt. Ltd.,
Rep. by its Authorised Signatory,
K.Niranjan, S/o.Kesavalu Reddy,
5th Floor, Mamatha Complex,
No.25, Whites Road, Royapettah,
Chennai-600014.

.... Respondent/Respondent/Complainant

This petition is coming on this day before me for hearing, in the presence of M/s.C.S.Dhanasekaran and G.Moorthi, Counsel for the petitioner, upon hearing the petitioner's side, this Court delivered the following,

ORDER

1. The petitioners seek suspension of sentence pending disposal of the appeal.

2. The Petitioners / Appellants herein are the accused in C.C.No.7622/2016 on the file of the learned Metropolitan Magistrate, FTC-I, Egmore, Chennai. On 18.11.2021, judgment was pronounced in the above case and the petitioners were found guilty u/s.138 of N.I. Act and the 2nd petitioner was sentenced to undergo six months simple imprisonment and the petitioners to pay the cheque amount of Rs.21,92,026/- along with interest at the rate of 9% p.a. (Rs.9,86,410/-), in total, Rs.31,78,436/- to the complainant as compensation within 8 weeks, in default, the 2nd petitioner to undergo 6 weeks further S.I.

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

5. This court has also perused the memorandum of appeal and the submission made by the petitioners' counsel. The trial court suspended the sentence for 30 days.

6. As per Sec.148 of N.I. Act (Amendment Act), 2018, the Appellate Court may order the Appellant to deposit such sum which shall be a minimum of Twenty percent of the fine or Compensation awarded by the Trial Court. In the above provision, it is clearly stated that the amount shall be deposited within 60 days from the date of the Order. As already stated supra, the 2nd petitioner / 2nd appellant / 2nd accused was ordered to undergo simple imprisonment for a period of six months and in these circumstances, it may not be right to hold that the 2nd petitioner has to serve the sentence during the pendency of the appeal.

7. Considering the above facts and the value of the cheque amount, this Court is inclined to suspend the sentence on condition to deposit 20% of the cheque amount.

8. Accordingly, the sentence of imprisonment imposed on the 2nd petitioner by the lower Court alone is hereby suspended till the disposal of the appeal and the 2nd petitioner is ordered to be enlarged on bail on his executing a bond for Rs.10,000/- with two sureties each for a likesum to the satisfaction of the learned Metropolitan Magistrate, FTC-I, Egmore, Chennai. Further the petitioners shall deposit 20% of the cheque amount to the credit of C.C. number on the file of the Trial Court within sixty days from the date of this Order.

9. The appeal has been made over to XVII Additional Sessions Court, Chennai.

10. The appeal stands posted to 23.12.2021.

Delivered by me today in open court.

Principal Sessions Judge.

Copy to
The Metropolitan Magistrate, FTC-I, Egmore, Chennai.

ss

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Saturday, the 4th day of December, 2021.

Crl.M.P.No.21794/2021

in

Crl.M.P.No.383/2021

(On the file of the learned IX Metropolitan Magistrate, Saidapet, Chennai)

in

Crime No.863/2021

Ramadoss

.. Petitioner/Accused

Vs.

State Rep. by

The Inspector of Police,

Guindy Police Station, Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s.D.Senthil Kumar and M.Hari Rajan, Counsel for the petitioner and of CPP for respondent and upon hearing both sides, this Court delivered the following :

ORDER

1. The petitioner seeks modification of the condition imposed by the learned IX Metropolitan Magistrate, Saidapet, Chennai in Crl.M.P.No.383/2021, dt: 1.11.2021.

2. The learned counsel for the petitioner submits that the petitioner is only a broker. He had not received any money. However, the learned Magistrate granting bail by imposing condition to deposit Rs.1 lakh. The petitioner is aged 63. The condition is onerous and prays for modifying the condition.

3. On perusal of the trial court order in Crl.M.P.No.383/2021, the learned Magistrate granted bail to the accused and others on the basis of the confession statement given by them as if they have received the amount respectively. Considering the nature of cheating the amount not appears to be onerous. The defacto complainant parted with Rs.7 lakhs under the guise of purchasing the property worth about Rs.25 crores. While verifying the records, the documents produced are all forged. On that pretext the complaint has been given. Considering the nature of complaint, this court is not inclined to modify the condition.

4. Petition is dismissed.

Delivered by me today in open court.

IN THE COURT OF SESSIONS AT CHENNAI

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

Saturday, the 4th day of December, 2021

Crl.M.P.No.21687/2021

in

K-10, Koyambedu P.S. Crime No.1212/2021

Jonson

.. 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.Durai Kannan, R.Vijayalakshmi, E.Sadasivam and M.Senthil Kumar, Counsel for the petitioner and of CPP for respondent and upon hearing both sides, this Court delivered the following :

ORDER

1. The petitioner, who was arrested on 27.11.2021 for the offences punishable under Section 294(b), 332 and 506(i) of IPC in Crime No.1212/2021 on the file of the respondent police, seeks bail.

2. Learned counsel for the petitioner submits that the petitioner is a Film Director. On the occurrence day, he was watching a crowd near the Tasmac Shop. The police in mufti asked about his whereabouts. There was a quarrel. He was assaulted by the police and Homeguard accompanied by him. There was exchange of blows. As such the case has been registered with exaggerated allegations. The accused in custody from 27.11.2021. In fact, he has been severely beaten by the police. He has also lodged a complaint before the Magistrate. He was produced before the Magistrate with injuries and prays for bail.

3. The learned counsel produced the copy of remand report. On perusal of the same, it appears the occurrence took place in the morning of 27.11.2021 at 6.30 a.m. Immediately after the occurrence the petitioner was arrested and brought to the police station, then sent to the remand in the evening. At the time of remand, the Magistrate has noticed injury to the petitioner also. There are chances of exaggeration since he quarreled with the police

officials. Anyhow, he is in custody for the past one week. Considering the duration of custody and possibilities of exaggeration at the hands of the police and nature of injury sustained by the petitioner, this court is inclined to grant bail.

4. 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 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 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 open court.

Principal Sessions Judge.

Copy to :

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

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CrI.M.P.No.21687/2021

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Saturday, the 4th day of December, 2021

Crl.M.P.No. 21751 of 2021

in

E-1 Mylapore P.S. Crime No. 1019/2021

1. P.B. Vishal Arvind
2. P.B. Vignesh Arvind

.. Petitioners/Accused

Vs.

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

..Respondent/Complainant

This petition is coming on this day before me for hearing, and upon hearing M/s. K.V. Shanmuganathan, V. Vaijayanthimala, MD Nazurullah, L.P.Balajiram, Counsel for the petitioners and of CPP for respondent, this court delivered the following

ORDER

1. The petitioners, who were arrested on 21.9.2021 for the offences punishable under Section 341, 147, 148, 324, 302 and 506(ii) IPC in Crime No. 1019/2021 on the file of the respondent police, seek bail.

2. The learned counsel for the petitioners submits that the petitioners are in custody for more than 70 days. They have no specific overtact. Even as per the prosecution case, they have arranged the vehicle for the accused to escape. Hence, seeks for bail.

3. On the other hand, the learned CPP submits that it is a case of murder and objects granting bail.

4. According to the petitioners, they had no knowledge about the involvement of the other accused in the crime. They bonafidely arranged the vehicle. Anyhow, the petitioners are in custody sufficiently for a long period. Hence, this court is inclined to grant bail.

5. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- each (Rupees ten thousand only) with two sureties each for a

likesum to the satisfaction of the learned XVIII Metropolitan Magistrate, Chennai and on further condition that

(a) the sureties shall affix their photographs and Left Thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity.

(b) 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 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 XVIII Metropolitan Magistrate, Chennai.
2. The Superintendent, Central Prison, Puzhal, Chennai.

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Crl.M.P.No.21751/2021.