

IN THE COURT OF SESSIONS AT CHENNAI

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

Monday, the 8th day of August, 2022

Crl.M.P.No. 13853/2022

in

G-1 Vepery P.S. Crime No. 181/2022

Silambarasan @ Pavadai Tamizarasan

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
G-1 Vepery Police Station,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s.N. Ganesh, R. Balasubramanian, 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 29.5.2022 for the offence punishable under Section 147, 148, 341, 294(b), 324, 307 and 506(ii) IPC in Crime No. 181/2022 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that petitioner is innocent. He is noway connected with the alleged offence. He has been falsely implicated in this case. The petitioner has no bad antecedents. Injured has been discharged from the hospital. Investigation is almost completed. This petitioner is in custody from 29.5.2022 and prays for granting bail.

4. On the other hand, learned CPP submits that due to previous enmity this petitioner/A3 along with five other accused attacked the defacto complainant with knife and caused cut injury on his fore arm, shoulder and neck and left hand wrist. Due to which, the victim was admitted to hospital for treatment. However, according to CPP, this

petitioner has no bad antecedents and that injured has been discharged from the hospital after 4 days of treatment.

5. It is reported that victim was discharged from the hospital after 4 days of treatment. No previous case is reported against the petitioner. The petitioner is in custody for more than two months. 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 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 II Metropolitan Magistrate, Chennai and on further condition that

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

(b) the petitioner shall appear before the respondent police daily at 10.00 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 II Metropolitan Magistrate, Chennai.
2. The Superintendent, Central Prison, Puzhal, Chennai.

vv

Crl.M.P.No. 13853/2022

IN THE COURT OF SESSIONS AT CHENNAI

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

Monday, the 8th day of August, 2022

Crl.M.P.No. 14205/2022

in

G-1 Vepery P.S. Crime No. 267/2022

Sakthivel

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
G-1 Vepery Police Station,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s. V. Dinesh Kumar, C. Jagan, R. Raj 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 31.7.2022 for the offence punishable under Section 294(b), 323, 384, 427, 336, 392, 397 and 506(ii) IPC in Crime No. 267/2022 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that petitioner is innocent. He is noway connected with the alleged offence. He has been falsely implicated in this case. False case has been foisted on the petitioner only for statistical purpose. This petitioner is in custody from 31.7.2022 and prays for granting bail.

4. On the other hand, learned CPP submits that this petitioner waylaid the defacto complainant and robbed Rs.120/- from him at knife point. He further submits that this petitioner is a habitual offender and having 8 previous cases including 3 murder cases. Further the petitioner was arrested only on 31.7.2022. Hence, he seriously objects the grant of bail.

5. Considering the nature of offence, antecedents of the petitioner and short duration of custody, this court is not inclined to grant bail to the petitioner at present.

6. Petition is dismissed.

Delivered by me today in the open Court.

Principal Sessions Judge

IN THE COURT OF SESSIONS AT CHENNAI

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

Monday, the 8th day of August, 2022

Crl.M.P.No. 14206/2022

in

K-3 Aminjikai P.S. Crime No. 284/2022

Manikandan @ Pavadai

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
K-3 Aminjikai Police Station,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s. C. Jagan, S. Vedavalli, R. Raj 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 in this case under PT Warrant on 11.7.2022 for the offence punishable under Section 394 IPC in Crime No.284/2022 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that petitioner is innocent. He is no way connected with the alleged offence. Since, this petitioner was already arrested in another case, he was brought into custody in this case under P.T. Warrant on 11.7.2022. He has been falsely implicated in this case. False case has been foisted on him only for statistical purpose. He has not committed any offence as alleged by the prosecution. This petitioner is in custody from 11.7.2022 and prays for granting bail.

4. On the other hand, learned CPP submits that this petitioner along with another accused waylaid the defacto complainant and demanded money from him. On his refusal, the accused attacked him with broken beer bottle and robbed his cell phone and fled away

from the scene of occurrence. Due to the said assault, the complainant sustained head injury. He further submits that this petitioner is a habitual offender and having 6 cases of similar nature. 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, 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 today in the open Court.

Principal Sessions Judge

IN THE COURT OF SESSIONS AT CHENNAI

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

Monday, the 8th day of August, 2022

Crl.M.P.No. 14207/2022

in

S.C No. 78/2019

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

in

P-4 Basin Bridge P.S. Crime No. 3/2013

Settu @ Karthikeyan

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
P-4 Basin Bridge Police Station,
Chennai.

..Respondent/Complainant.

The above petition is coming on this day before me for hearing in the presence of M/s. M. Illiyas, A. Venkateswara Babu, M. Mohamadhu Ajar, 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 17.3.2022 on execution of NBW for the offence punishable under Section 341, 302 r/w 34 IPC in S.C.No. 78/2019 on the file of XIX Additional Sessions Court, Chennai in Crime No. 3/2013 on the file respondent police seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that since this petitioner's mother suffering from illness, he could not appear before the trial court on the hearing date and therefore, NBW was issued against him on 1.9.2021. This petitioner's 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 17.3.2022 and prays for granting bail.

4. According to CPP, NBW was issued against the petitioner on 1.9.2021 and it was executed on 17.3.2022. The petitioner was absent for six months. The case is of the year 2013 that too murder case. After much effort, the police secured the petitioner. If he is released on bail, the further proceedings of the case will be stalled. He further submits that this petitioner is a habitual offender and having 11 previous cases. Hence, he seriously objects the grant of bail.

5. It is a case of 302 IPC. The case is of the year 2013. NBW was issued against the petitioner on 1.9.2021 and it was executed on 17.3.2022. In the meantime, this petitioner has not chosen to surrender and recall the warrant. According to CPP, this petitioner is having 11 previous cases. If he is released on bail, he will again get abscond and will not be available for trial. This court finds force in the contention of CPP. The conduct of the petitioner does not inspire the confidence of the court that he will be available for trial if he is released on bail. Under the above circumstances, this court is not inclined to grant bail to the petitioner.

6. Hence, this petition is dismissed.

Delivered by me today in the open Court.

Principal Sessions Judge

IN THE COURT OF SESSIONS AT CHENNAI

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

Monday, the 8th day of August, 2022

Crl.M.P.No. 14208/2022

in

H-6 R.K. Nagar P.S. Crime No. 466/2022

Lakshmi

.. 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. M. Illiyas, A. Venkateswara Babu, M. Mohamadhu Ajar, 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 2.8.2022 for the offence punishable under Section 294(b), 323, 307 and 506(ii) IPC in Crime No. 466/2022 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that petitioner is innocent. She is no way connected with the alleged offence. She has been falsely implicated in this case. Injured has been discharged from the hospital. This petitioner is in custody from 2.8.2022 and prays for granting bail.

4. On the other hand, learned CPP submits that totally 4 accused. This petitioner is A4. During the course of wordy quarrel between the petitioner and the defacto complainant, all the accused joined together and attacked the defacto complainant using knife and caused multiple cut injuries on her face and chest. Victim was admitted to hospital and after 3 days of treatment, she has been discharged. He further submits that this petitioner is having 2 previous cases. Hence, he objects the grant of bail.

5. On perusal of the FIR, it would go to show that there is no specific overtact attributed as against this petitioner. It is reported by the CPP that injured has been discharged from the hospital after 3 days. Petitioner is in custody for the past one week. Considering the above facts, this court is inclined to grant bail to the petitioner on condition.

6. Accordingly, the petitioner is ordered to be released on bail on her executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a likesum to the satisfaction of the learned XV 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 XV Metropolitan Magistrate, Chennai.
2. The Superintendent, Central Prison, Puzhal, Chennai.

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Crl.M.P.No. 14208/2022

IN THE COURT OF SESSIONS AT CHENNAI

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

Monday, the 8th day of August, 2022

Crl.M.P.No. 14209/2022

in

S.C No. 40/2017

(on the file of XX Additional Sessions Judge, Chennai)

in

H-6 R.K. Nagar P.S. Crime No.533/2006

Balasubramaniyan @ Sori Balu

.. Petitioner/Accused

Vs.

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

..Respondent/Complainant.

The above petition is coming on this day before me for hearing in the presence of M/s. M. Illiyas, A. Venkateswara Babu, M. Mohamadhu Ajar, 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 7.7.2022 on execution of NBW for the offence punishable under Section 341, 336, 448. 427, 392, 307 and 506(ii) IPC in S.C.No. 40/2017 on the file of XX Additional Sessions Court, Chennai in Crime No. 533/2006 on the file respondent police seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that the petitioner could not appear before the trial court on hearing date due to his illness and therefore, NBW was issued against him on 21.6.2022. This petitioner's 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 7.7.2022 and prays for granting bail.

4. According to CPP, NBW was issued against the petitioner on 21.6.2022 and it was executed on 7.7.2022. This petitioner was absent for two hearings. Now, the case is pending for examination of examination of witnesses. If he is released on bail, the further proceedings of the case will be stalled. He further submits that this petitioner is a habitual offender and having 6 previous cases. Hence, he seriously objects the grant of bail.

5. NBW was issued against the petitioner on 21.6.2022 and it was executed on 7.7.2022. In the meantime, this petitioner has not chosen to surrender and recall the warrant. According to CPP, this petitioner is having 6 previous cases. If he is released on bail, he will again get abscond and will not be available for trial. This court finds force in the contention of CPP. Now, the case is pending for examination of witnesses. The reason stated by the petitioner for his absence is not substantiated by any documents. Under the above circumstances, this court is not inclined to grant bail to the petitioner.

6. Hence, this petition is dismissed.

Delivered by me today in the open Court.

Principal Sessions Judge

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt S. Alli, M.L.,
Principal Sessions Judge
Monday, the 8th day of August, 2022**

Crl.M.P.No. 13859 & 13860/2022

in

R-3 Ashok Nagar P.S. Crime No. 147/2022

R. Manimegalai

.. Petitioner/Accused.
in Crl. M.P.No.13859/2922

R. Indhumathi

.. Petitioner/Accused
in Crl.M.P.No.13860/2022

Vs.

State Rep. by
The Inspector of Police,
R-3 Ashok Nagar 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. V. Giri Shankar, R. Uma Devi, 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. These petitioners, apprehending arrest at the hands of the respondent police, for the alleged offence u/s. 147, 148, 323, 324, 326, 294(b), 307, 506(ii) and 427 IPC in Crime No. 147/2022 on the file of the respondent police, seeks anticipatory bail.

2. Heard both sides.

3. Learned counsel for the petitioners in both the petitions submits that the petitioners are innocent of the offence. They are not at all present at the scene of occurrence. They have nothing to do with the alleged offence. In fact, the petitioner Indhumathy was brutally assaulted by the defacto complainant and sustained injury and admitted to Royapettah General Hospital for treatment. Her son Vishwadev has serious medical problems and a stent has been placed on his body. Already civil dispute is pending regarding the property. The defacto complainant is the real offender, who had brought rowdy elements to the place of occurrence. These petitioners never involved in the offence. The petitioners have no bad antecedents. Injured has been discharged from the hospital. Co-accused were already

granted bail by this court. These petitioners have no role in the alleged offence. Hence, prays for granting anticipatory bail.

4. On the other hand, learned CPP submits that totally 8 accused and these petitioners are arrayed as A3 and A4. Due to previous enmity, these petitioners along with others abused the defacto complainant and her family members in filthy language and assaulted the defacto complainant with knife and caused head injury to her. Victim was admitted to hospital and after 14 days of inpatient treatment, she was discharged. Further he submits that there is no previous case against these petitioners.

5. Property dispute between relatives. Injured has been discharged from the hospital. Already some of the co-accused were granted bail by this court. No previous case is reported as against these petitioners. Considering the above facts, this court is inclined to grant anticipatory bail to the petitioners subject to condition.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of this order, before the XVII Metropolitan Magistrate, Chennai on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a likesum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that

[a] the petitioners and the sureties shall affix their photographs and Left Thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass book to ensure their identity.

[b] the petitioners shall report 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 petitioners in accordance with law as if the

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

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

Delivered by me today in the open court

Principal Sessions Judge

Copies to:

1. The XVII Metropolitan Magistrate, Chennai.
2. CPP, Chennai.
3. The Inspector of Police, R-3 Ashok Nagar Police Station, Chennai.

vv

CrI.M.P.Nos. 13859 & 13860/2022

IN THE COURT OF SESSIONS AT CHENNAI

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

Monday, the 8th day of August, 2022

CrI.M.P.No. 13760/2022

in

R-7 K.K. Nagar P.S. Crime No. 244/2022

A. Palanivel

.. Petitioner/Accused.

Vs.

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

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s. Majestic Law Firm, K. Nagarajan, K. Christina Dhanarani, Counsel for the petitioner and of CPP for respondent and upon hearing them, this Court delivered the following:

ORDER

1. These petitioner, apprehending arrest at the hands of the respondent police, for the alleged offence u/s. 294(b), 324, 506(ii) IPC in Crime No. 244/2022 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 of the offence. False case has been foisted on him with an ulterior motive. Occurrence took place on 23.5.2022 but the respondent police registered the FIR on 8.6.2022 with delay. This petitioner was wantonly implicated in this case. There is no motive to cause injury to the victim. Due to sudden provocation during the course of wordy quarrel, such incident has been occurred. Injured has been discharged from the hospital. The petitioner has no previous case. Hence, he prays for granting anticipatory bail.

4. On the other hand, learned CPP submits that during drunken drawl, this petitioner attacked the defacto complainant's son/victim using iron rod on his neck and caused grievous injury to him. Due to the said assault, the victim was admitted to Royapettah General Hospital and he had taken one month inpatient treatment and surgery was also

undergone by him. Hence, he objects the grant of anticipatory bail. He also produced the A.R. copy for perusal.

5. On perusal of the A.R. copy it would go to show that the doctor who gave treatment to the victim has opined for surgery. That itself shows the severity of the wound. Learned CPP also submits that as per the doctor's advise, the victim has undergone surgery due to the assault made by this petitioner. He had taken one month inpatient treatment. Weapon used is iron rod. Injury caused on the vital part. So, there are chances for causing severe wound. Considering the grievous nature of injury sustained by the victim and the period of treatment taken by him, this court is not inclined to grant anticipatory bail to the petitioner.

6. Petition is dismissed.

Delivered by me today in the open court

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
Monday, the 8th day of August, 2022**

Crl.M.P.No. 14142/2022

in

Crime No. 3/2022

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

V. Pavunraj

.. Petitioner/Accused

Vs

State by:
The Deputy Superintendent of Police,
OCU-I, CBCID,
Egmore,
Chennai.

.. Respondent/Complainant.

This petition is 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 for respondent 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. He further submits that the petitioner is in custody for more than 90 days. Charge sheet is not yet filed. Hence, the petitioner is entitled for statutory bail u/s.167(2) Cr.P.C.

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. 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 Postmortem report is awaited and one month time was extended from 25.7.2022 for filing charge sheet in this case and as per the said order, the respondent has time to file final report till 25.8.2022. Hence, he objects the granting of bail.

5. Admittedly, this court granted one month extension of time to file the final report. Whereas, the learned counsel for the petitioner cited the judgment passed by the Hon'ble High Court in CrI.A.No.685/2019 in **Abdul Rahuman Vs. State** in which it has been held that

“the petitioner has been arrested on 3.5.2019 and he is in custody for more than five and half months, the charge sheet has not been filed so far. There is no provision under the Schedule Caste and Schedule Tribe (POA) Act 2015, granting extension of time for filing charge sheet”

In the case at our hand, the petitioner has been arrested on 7.5.2022 and he is in custody for more than three months and the 90 days period for laying the final report expired on 4.8.2022. The petitioner filed his application for statutory bail on 5.8.2022. Hence, the petitioner is entitled for statutory bail u/s.167(2) Cr.P.C. Considering the above facts, this court is inclined to grant statutory bail to the petitioner subject to condition.

6. Accordingly, the petitioner is ordered to be released on mandatory 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 this court 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, this 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.

Special Judge/Principal Sessions Judge

Copy to :

1. The SPP for SC & ST Cases,
2. The Superintendent, Central Prison, Puzhal, Chennai.

vv

Crl.M.P.No. 14142/2022

**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 ‘
Monday, the 8th day of August, 2022**

CrI.M.P.No. 14143/2022

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.

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 (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 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 Instpr 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 personals 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. He further submits that the petitioners are in custody for more than 90 days. So far Charge sheet is not yet filed. Hence, the petitioners are entitled for statutory bail u/s.167(2) Cr.P.C.

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. If the petitioners are released on bail, they would tamper the witnesses and hamper with the on-going investigation and chances for screening the evidence is more. He further submits that Postmortem report is awaited and one month time was extended from 25.7.2022 for filing charge sheet in this case and as per the said order, the respondent has time to file final report till 25.8.2022. Hence, he objects the granting of bail.

5. Admittedly, this court granted one month extension of time to file the final report. Whereas, the learned counsel for the petitioner cited the judgment passed by the Hon'ble High Court in CrI.A.No.685/2019 in **Abdul Rahuman Vs. State** in which it has been held that

“the petitioner has been arrested on 3.5.2019 and he is in custody for more than five and half months, the charge sheet has not been filed so far. There is no provision under the Schedule Caste and Schedule Tribe (POA) Act 2015, granting extension of time for filing charge sheet”

In the case at our hand, the petitioners were arrested on 7.5.2022 and they are in custody for more than three months and the 90 days period for laying the final report expired on 4.8.2022. The petitioners filed the application for statutory bail on 5.8.2022. Hence, the

petitioners are entitled for statutory bail u/s.167(2) Cr.P.C. Considering the above facts, this court is inclined to grant statutory bail to the petitioners subject to condition.

6. Accordingly, the petitioners are ordered to be released on mandatory 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 this court 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, this 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.

Special Judge/Principal Sessions Judge

Copy to :

1. The SPP for SC & ST Cases, Chennai.
2. The Superintendent, Central Prison, Puzhal, Chennai.

vv

Crl.M.P.No. 14143/2022

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Monday, the 8th day of August, 2022**

Crl.M.P.No.14104/2022

in

K.4, Anna Nagar P.S. Cr.No.264/2022

Krishna Kumar

.. Petitioner/Accused.

Vs.

State Rep. by
The Inspector of Police,
K.4, Anna Nagar Police Station,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s. R. Mukesh Kannah, 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.294(b), 341 IPC r/w. Sec.4 of TNPHW Act in Cr.No.264/2022 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. He is noway connected with the alleged offence. In fact the petitioner's father alone borrowed money. For which, this petitioner has been falsely implicated in this case. The petitioner apprehends arrest at the hands of the respondent police. Hence, prays for granting anticipatory bail.

4. On the other hand, the learned CPP submits that the petitioner and others called the defacto complainant, who is a practicing Advocate to the nearby park in order to settle the amount borrowed from the defacto complainant's clients and harassed her by using abusive words and pulled her hands. He objects granting anticipatory bail.

5. The allegation against the petitioner is that he along with other accused abused the defacto complainant in filthy language. However, nothing untoward happened. According to learned CPP, the petitioner has no previous case. Considering the nature of

case, the fact that the petitioner has no previous case, this court is inclined to grant anticipatory bail to the petitioner on condition.

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of this order, before the learned V Metropolitan Magistrate, Chennai on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a likesum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that

[a] the petitioner and the sureties shall affix their photographs and Left Thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass book to ensure their identity.

[b] the petitioner shall appear before the respondent police daily at 10.00 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 V Metropolitan Magistrate, Chennai.
2. CPP, Chennai.
3. The Inspector of Police, K.4, Anna Nagar Police Station, Chennai.

nmk

CrI.M.P.No.14104/2022

IN THE COURT OF SESSIONS AT CHENNAI

Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Monday, the 8th day of August, 2022

Crl.M.P.No.14105/2022

in

V.5, Thirumangalam P.S. Cr.No.232/2022

Karthick

.. Petitioner/Accused.

Vs.

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

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s. M. Illiyas, A. Venkateswara Babu, M. Mohamadhu Ajar, K. Nithiyanandam, 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. 341, 294(b), 323, 506(ii) IPC in Cr.No.232/2022 on the file of the respondent police, seeks anticipatory bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that this petitioner is innocent. It is a case in counter. The petitioner is noway connected with the alleged offence. An exaggerated complaint has been given. Injured has been discharged. The petitioner apprehend arrest at the hands of the respondent police. Hence, prays for granting anticipatory bail.

4. On the other hand, the learned CPP submits that due to previous enmity with one Selvam, this petitioner picked quarreled with him and pushed him down. When the defacto complainant and his friend tied to prevent the petitioner, he had assaulted both of them and caused grievous injuries. Three persons sustained injury and the defacto complainant is still taking treatment as in-patient. Investigation is pending. He seriously objects granting anticipatory bail.

5. Considering the nature of offence, the fact that injured is still taking treatment and the fact that investigation is pending, this court is not inclined to grant anticipatory bail to the petitioners.

6. 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
Monday, the 8th day of August, 2022

Crl.M.P.No.14106/2022

in

V.5, Thirumangalam P.S. Cr.No.193/2022

M. Kumaresan

.. Petitioner/Accused.

Vs.

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

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s. S. Vijayaraghavan, B. Karthik, M. Suresh Kumar, E.M. Kanimozhi, V. Muthupandi, 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.341, 294(b), 324, 506(ii) IPC in Cr.No.193/2022 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. He is noway connected with the alleged offence. He has been falsely implicated in this case. Injured has been discharged from the hospital. The petitioner apprehends arrest at the hands of the respondent police. Hence, prays for granting anticipatory bail.

4. On the other hand, the learned CPP submits that A1 had previous enmity with the defacto complainant's relative, due to which, A1 along with other accused including this petitioner attacked the defacto complainant with knife and caused injury. However, he submits that the injured has been discharged after one day treatment and the petitioner has no previous case.

5. The allegation against the petitioner is that he along with other accused attacked the defacto complainant with knife. However, according to learned CPP, injured has been discharged and the petitioner has no previous case. Except Sec.506(ii) IPC, other

offences are bailable in nature. Considering the above facts, this court is inclined to grant anticipatory bail to the petitioner on condition.

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of this order, before the learned XIII Metropolitan Magistrate, Chennai on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a likesum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that

[a] the petitioner and the sureties shall affix their photographs and Left Thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass book to ensure their identity.

[b] the petitioner shall appear before the respondent police daily at 10.00 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 XIII Metropolitan Magistrate, Chennai.
2. CPP, Chennai.
3. The Inspector of Police, V.5, Thirumangalam Police Station, Chennai.

nmk

Crl.M.P.No.14106/2022

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Monday, the 8th day of August, 2022**

Crl.M.P.No.14107/2022

in

Crl.M.P.No.12123/2022

in

Crime No.4/2022

1. Srinivasan
2. Saraswathi

... Petitioners/Accused.

vs.

State by
The Inspector of Police,
Flower Bazaar All Women Police Station,
Chennai.

... Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s. P.S. Amalraj, K.T.S. Sivakumar, S. Lakshmiopathy, Counsel for the petitioners and of CPP for the respondent and upon hearing them, this Court delivered the following,

O R D E R

1. Petitioners seek relaxation of the condition imposed by this court in Crl.M.P.No.12123/2022, dt:18.7.2022.

2. Heard both sides.

3. The petitioners were granted anticipatory bail by this court in Crl.M.P.No.12123/2022 on 18.7.2022 for the offence u/s.417, 420, 376 of IPC and Sec.3 of Dowry Prohibition Act with condition to appear before the respondent police daily at 10.00 a.m. until further orders.

4. According to learned CPP, the petitioners have complied the condition only for 13 days. Considering the nature of offence and the number of days complied, this court is not inclined to relax the condition.

5. Hence, the 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
Monday, the 8th day of August, 2022**

Crl.M.P.No.14108/2022

in

Crl.M.P.No.11219/2022

in

Crime No.87/2022

1. Lakshmanan
2. Revathi
3. Kosalai

... Petitioners/Accused.

vs.

State by
The Inspector of Police,
B.3, Fort Police Station,
Chennai.

... Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s. V. Karthick, S. Raj, S. Divakar, Counsel for the petitioners and of CPP for the respondent and upon hearing them, this Court delivered the following,

ORDER

1. Petitioners seek relaxation of the condition imposed by this court in Crl.M.P.No.11219/2022, dt:6.7.2022.

2. Heard both sides.

3. The petitioners were granted anticipatory bail by this court in Crl.M.P.No.11219/2022 on 6.7.2022 for the offence u/s. 341, 294(b), 324, 506(ii) of IPC with condition to appear before the respondent police daily at 10.30 a.m. until further orders.

4. According to learned CPP, the petitioners have complied the condition only for 28 days. Considering the nature of offence and the number of days complied, this court is not inclined to relax the condition.

5. Hence, the petition is dismissed.

Delivered by me today in the open Court.

nmk

Principal Sessions Judge

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Monday, the 8th day of August, 2022**

Crl.M.P.No.14109/2022

in

Crl.M.P.No.17105/2022

in

Crime No.326/2021

Sham Sundar

... Petitioner/Accused.

vs.

State by
The Inspector of Police,
G.7, Chetpet Police Station,
Chennai.

... Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s. D. Dhanasekaran, P. Krishna Moorthy, Counsel for the petitioner and of CPP for the respondent and upon hearing them, this Court delivered the following,

ORDER

1. Petitioner seeks relaxation of the condition imposed by this court in Crl.M.P.No.17105/2022, dt:5.1.2022.

2. Heard both sides.

3. The petitioner was granted anticipatory bail by this court in Crl.M.P.No.17105/2022 on 5.1.2022 with condition to appear before the respondent police daily at 10.30 a.m. until further orders.

4. According to learned CPP, the petitioner has complied the condition for the past 194 days. Considering 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 the open Court.

nmk

Principal Sessions Judge

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Monday, the 8th day of August, 2022**

Crl.M.P.No.14110/2022

in

Crl.M.P.No.10421/2022

in

Crime No.78/2022

S. Ajith Kumar

... Petitioner/Accused.

vs.

State by
The Inspector of Police,
B.3, Fort Police Station,
Chennai.

... Respondent/Complainant.

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

ORDER

1. Petitioner seeks relaxation of the condition imposed by this court in Crl.M.P.No.10421/2022, dt:24.6.2022.

2. Heard both sides.

3. The petitioner was granted bail by this court in Crl.M.P.No.10421/2022 on 24.6.2022 with condition to appear before the respondent police daily at 10.30 a.m. until further orders.

4. According to learned CPP, the petitioner has complied the condition for the past 38 days. Considering 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 the open Court.

IN THE COURT OF SESSIONS AT CHENNAI

Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Monday, the 8th day of August, 2022

Crl.M.P.No.14014/2022

in

Crl.M.P.No.7835/2020

in

K.5, Peravallur PS, Cr.No.333/2020

D. Elizabeth

.. Petitioner/Accused.

Vs.

State Rep. by
The Sub-Inspector of Police,
K.5, Peravallur Police Station,
Chennai.

..Respondent/Complainant.

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

ORDER

1. The petitioner seek extension of time for furnishing sureties as per the order passed by this Court in Crl.M.P.No.7835/2020, dated 8.7.2020.

2. Heard both sides.

3. The petitioner was granted anticipatory bail by this Court in Crl.M.P.No.7835/2020 on 8.7.2020 for the offence u/s. 294(b), 448, 506(i) of IPC and Sec.3 of TNPPDL Act 1992 with condition to execute a bond for Rs.10,000/- with two sureties each for a like sum before the learned V Metropolitan Magistrate, Chennai within one week of regular functioning of Courts and also to deposit Rs.5000/- to the credit of Cr.No.333/2020 before the satisfaction court at the time of executing bond.

4. Learned counsel for the petitioner submits that the petitioner is a practicing advocate. Due to covid-19 lock down, the petitioner was unable to appear before the court to furnish the sureties. As per the direction of the Hon'ble Apex Court the period from 15.3.2020 till 28.2.2022 shall be excluded for the purpose of limitation as may be

prescribed under any general or special laws in respect of all judicial or quasi judicial proceedings. Further, the petitioner was also affected during the 1st covid 19 wave and she is undergoing treatment till date for her health issues. Hence, prays for extension of time.

5. The petitioner was granted anticipatory bail by this court on 8.7.2020. While granting anticipatory bail, the petitioner was directed to execute a bond along with two sureties within one week of regular functioning of Court. She had not furnished the sureties within the stipulated time and it got expired. Learned counsel for the petitioner submits that due to covid-19 lock down and also due to her illness, she was unable to furnish sureties. He would further submits that the period from 15.3.2020 to 28.2.2022 may be excluded for the purpose of limitation as per the direction of the Hon'ble Apex Court. Even as per the direction of the Hon'ble Apex Court, the petitioner has not chosen to file the petition in the earlier occasion. The present petition has been filed only on 4.8.2022 after lapse of 2 years. The reason stated is not satisfactory. Hence, this court is not inclined to extend the time. Accordingly, this petition is dismissed.

Delivered by me today in the open Court.

nmk

Principal Sessions Judge

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Monday, the 8th day of August, 2022**

Crl.M.P.No.13947/2022

in

C.A.No.166/2022

in

C.C.No.5551/2019

(on the file of learned VI Metropolitan Magistrate, Egmore, Chennai)

Karthik

.. Petitioner/Appellant/Accused

Vs.

State Rep. by
The Inspector of Police,
V.5, Thirumangalam Police Station,
Traffic Investigation Wing,
Chennai.

.. Respondent/Respondent/Complainant

This petition is coming on this day before me for hearing in the presence of M/s. M. Thiagarajan, E. Ganesh, Counsel for the petitioner/appellant and upon hearing the petitioner side arguments, this court delivered the following

ORDER

1. Heard.

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

3. The petitioner/appellant herein is the accused in C.C.No.5551/2019 on the file of VI Metropolitan Magistrate Court, Egmore, Chennai. On 13.7.2022, a judgment was pronounced in the above case and the petitioner/accused was convicted u/s. 279 and 304-A IPC and he was sentenced to undergo S.I. for 3 months for the offence u/s.279 IPC and to undergo S.I for 1 year for the offence u/s.304-A IPC.

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

5. This court has also perused the memorandum of appeal and the submission made by the petitioner's side. The trial court has suspended the sentence. As already

stated supra, the Petitioner / Appellant / Accused was ordered to undergo simple imprisonment for a period of 1 year and in these circumstances, it may not be right to hold that the petitioner has to serve the sentence during the pendency of the appeal. Considering the above facts, this Court is inclined to suspend the sentence of imprisonment.

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

7. The appeal has been made over to VI Additional City Civil Court, Chennai.

8. The appeal stands posted to 25.8.2022.

Delivered by me today in the open court.

Principal Sessions Judge

Copy

Learned VI Metropolitan Magistrate, Egmore, Chennai.

nmk

IN THE COURT OF SESSIONS AT CHENNAI

Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Monday, the 8th day of August, 2022

Crl.M.P.No.14024/2022

in

C.A.No.167/2022

in

C.C.No.9718/2017

(on the file of learned VI Metropolitan Magistrate, Egmore, Chennai)

Manikandan

.. Petitioner/Appellant/Accused

Vs.

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

.. Respondent/Respondent/Complainant

This petition is coming on this day before me for hearing in the presence of M/s. M. Thiagarajan, E. Ganesh, Counsel for the petitioner/appellant and upon hearing the petitioner side arguments, this court delivered the following

ORDER

1. Heard.

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

3. The petitioner/appellant herein is the accused in C.C.No.9718/2017 on the file of VI Metropolitan Magistrate Court, Egmore, Chennai. On 8.7.2022, a judgment was pronounced in the above case and the petitioner/accused was convicted u/s. 411 r/w. 177 and 182(1) of M.V. Act and he was sentenced to pay a fine of Rs.100/- i/d. to undergo S.I. for 1 week for the offence u/s.411 r/w. 177 M.V. Act and to undergo SI. for 3 months for the offence u/s.182(1) of M.V. Act.

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

5. This court has also perused the memorandum of appeal and the submission made by the petitioner's side. Fine amount has been paid. The trial court has suspended the sentence for a period of one month. As already stated supra, the Petitioner / Appellant / Accused was ordered to undergo simple imprisonment for a period of three months and in these circumstances, it may not be right to hold that the petitioner has to serve the sentence during the pendency of the appeal. Considering the above facts, this Court is inclined to suspend the sentence of imprisonment.

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

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

8. The appeal stands posted to 25.8.2022.

Delivered by me today in the open court.

Principal Sessions Judge

Copy

Learned VI Metropolitan Magistrate, Egmore, Chennai.

nmk

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Monday, the 8th day of August, 2022**

Crl.M.P.No.14211/2022

in

C.A.No.170/2022

in

C.C.No.2388/2019

(on the file of the learned Metropolitan Magistrate, FTC-IV, G.T., Chennai)

R. Mohanakrishnan

...Petitioner/Appellant/Accused

Vs.

S. Devi

.... Respondent/Respondent/Complainant

This petition is coming on this day before me for hearing in the presence of M/s. R. Sadagopan, M. Prashanth, A. Ashok Kumar, Counsel for the petitioner and upon hearing them, this Court delivered the following,

ORDER

1. The petitioner seeks suspension of sentence pending disposal of the appeal.
2. Heard the learned counsel for the petitioner.

3. The Petitioner/Appellant herein is the accused in C.C.No.2388/2019 on the file of the learned Metropolitan Magistrate, FTC-IV, G.T., Chennai. On 7.7.2022, judgment was pronounced in the above case and the petitioner/accused was found guilty u/s.138 of N.I. Act and he was convicted and sentenced to undergo simple imprisonment for three months and directed to pay a sum of Rs.6,00,000/- as compensation to the complainant within a month from the date of the judgment.

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

5. This court has also perused the memorandum of appeal. The appeal has been preferred without any delay. The trial court has suspended the sentence against the petitioner till 5.8.2022.

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 petitioner/appellant/accused was ordered to undergo simple imprisonment for 3 months and in these circumstances, it may not be right to hold that the petitioner has to serve the sentence during the pendency of the appeal.

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

8. Accordingly, the sentence of imprisonment imposed on the petitioner by the lower Court alone is hereby suspended till the disposal of the appeal and the petitioner is ordered to be enlarged on bail on his executing a bond for Rs.10,000/- with two sureties each for a likesum to the satisfaction of the learned Metropolitan Magistrate, FTC-IV, G.T., Chennai. Further the petitioner shall deposit 20% of the compensation 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 City Civil Court, Chennai.

10. The appeal stands posted to 25.8.2022.

Delivered by me today in the open Court.

Principal Sessions Judge.

Copy to
Learned Metropolitan Magistrate, FTC-IV, G.T., Chennai.

IN THE COURT OF SESSIONS AT CHENNAI

Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Monday, the 8th day of August, 2022

Crl.M.P.No.13972/2022

in

Crl.R.C.No.130/2022

against

M.P.No.34/2022

in

LIR.No.279/Sec.Pro./DCP WPT/2022

in

H.6, R.K. Nagar P.S. Sl.No.78/2022 U/s 110 of Cr.P.C.

Bharath @ Bharathkumar

... Petitioner / Petitioner / Respondent /
Accused

Vs.

1. The Executive Magistrate
cum Deputy Commissioner of Police,
Washerment Range, Chennai.
2. The State represented by
The Inspector of Police, (L&O)
H.6, R.K. Nagar Police Station,
Chennai.

.. Respondents/Respondents/Petitioners/
Complainant

This petition is coming on this day before me for hearing in the presence of M/s. M. Illiyas, A. Venkateswara Babu, M. Mohamadhu Ajar, counsel for the petitioner and upon hearing them, this Court delivered the following:

ORDER

1. The petitioner in the above case seeks suspension of sentence pending disposal of the revision petition.
2. Heard.
3. The Petitioner herein is the accused in M.P.No.34/2022 in LIR. No.279/Sec.Pro./DCP WPT/2022 in H.6, R.K. Nagar P.S. Sl.No.78/2022 U/s 110 of Cr.P.C. on the file of the 1st respondent and he was convicted and sentenced to undergo imprisonment for 279 days for violation of bond executed u/s 110 of Cr.P.C. as per the order dated 27.7.2022.

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

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

6. The learned counsel for the petitioner would further submit that the accused will not abscond and would be available to undergo the sentence, if the appellate Court confirms the order passed by the Executive Magistrate. As already stated supra, the Petitioner / Accused was ordered to undergo imprisonment for a period of 279 days and in these circumstances, it may not be right to hold that the petitioner has to serve the sentence during the pendency of the revision.

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

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

9. The Revision is posted on 25.8.2022.

Delivered by me today in the open court.

Principal Sessions Judge.

Copy to

1. The XV Metropolitan Magistrate, Chennai.
2. The Superintendent, Central Prison, Puzhal, Chennai.
3. The Deputy Commissioner of Police, Washermenpet District, Chennai.

nmk

IN THE COURT OF SESSIONS AT CHENNAI

Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Monday, the 8th day of August, 2022

CrI.M.P.No.14113/2022

in

CrI.R.C.No.131/2022

against

M.P.No.13/2022

in

ந.க.எண்.250/செ.நடு/கா.து./மயிலாப்பூர் மாவட்டம்/2022

in

E.1, Mylapore P.S. Sl.No.42/2022 U/s 107 of Cr.P.C.

Kishore

... Petitioner/Petitioner/ Respondent/
Accused

Vs.

1. The Executive Magistrate
cum Deputy Commissioner of Police,
Mylapore District, Chennai.
2. The State represented by
The Inspector of Police,
E.1, Mylapore Police Station,
Chennai.

.. Respondents/Respondents/Petitioners/
Complainant.

This petition is coming on this day before me for hearing in the presence of M/s. C. Ganesh Pandian, A Shabanal, counsel for the petitioner and upon hearing them, this Court delivered the following:

ORDER

1. The petitioner in the above case seeks suspension of sentence pending disposal of the revision petition.
2. Heard.
3. The Petitioner herein is the accused in M.P.No.13/2022 in ந.க.எண்.250/செ.நடு/கா.து./மயிலாப்பூர் மாவட்டம்/2022 in E.1, Mylapore P.S. Sl.No.42/2022 U/s 107 of Cr.P.C. on the file of the 1st respondent and he was convicted and sentenced to undergo imprisonment for 361 days for violation of bond executed u/s 107 of Cr.P.C. as per the order dated 5.7.2022.

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

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

6. The learned counsel for the petitioner would further submit that the accused will not abscond and would be available to undergo the sentence, if the appellate Court confirms the order passed by the Executive Magistrate. As already stated supra, the Petitioner / Accused was ordered to undergo imprisonment for a period of 361 days and in these circumstances, it may not be right to hold that the petitioner has to serve the sentence during the pendency of the revision.

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

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

9. The Revision is posted on 25.8.2022.

Delivered by me today in the open court.

Principal Sessions Judge.

Copy to :

1. The XVIII Metropolitan Magistrate, Chennai.
2. The Superintendent, Central Prison, Puzhal, Chennai.
3. The Deputy Commissioner of Police, Mylapore District, Chennai.

nmk