

IN THE COURT OF SESSIONS AT CHENNAI

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

**Friday, the 9<sup>th</sup> day of July 2021**

**Crl.M.P.No. 11156/2021**

in

**V-4 Rajamangalam P.S. Crime No. 535/2021**

Abi @ Abinash

.. Petitioner/Accused.

Vs.

State Rep. by  
The Inspector of Police,  
V-4 Rajamangalam Police Station,  
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing, upon hearing M/s. P. Krishnamoorthy, G. Prakash, K. Rohini, S. Gopi, Counsel for the petitioner and of CPP for respondent, this Court delivered the following :

**ORDER**

1. The petitioner, who was arrested on 12.6.2021 for the offence punishable under Section 341, 294(b), 323, 336, 427, 397 and 506(ii) IPC in Crime No. 535/2021 on the file of the respondent police, seeks bail.

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

3. Learned counsel for the petitioner submits that the petitioner is innocent of the offence. He has not committed any offence as alleged by the prosecution. False case has been foisted on him only for statistical purpose. Co-accused was already granted bail by this court on 25.6.2021 in Crl.M.P.No. 10966/2021. The petitioner is in custody for the past 27 days and prays for granting bail.

4. On the other hand, learned CPP submits that this petitioner along with other accused waylaid the defacto complainant and demanded money. On his refusal, the accused assaulted him and robbed Rs.1500/- at knife point. He objects the granting of bail stating that this petitioner is having 6 previous cases.

5. Though the petitioner is having some previous cases, as far as this case is concerned, he is in custody for about a month. Co-accused was granted bail by this court on 25.6.2021. Considering the duration of custody, this court is inclined to grant bail to the petitioner subject to condition.

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

(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 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]**.

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

Delivered by me today.

**Sd/- R. Selvakumar,**  
**Principal Sessions Judge**

Copy to :

1. XIII Metropolitan Magistrate, Chennai.
2. Superintendent, Sub-Jail, Saidapet, Chennai.

vv

**CrI.M.P.No. 11156/2021**

**IN THE COURT OF SESSIONS AT CHENNAI**

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

**Friday, the 9<sup>th</sup> day of July 2021**

**CrI.M.P.No. 11352/2021**

**in**

**K8 Arumbakkam P.S. Crime No. 1017/2020**

Karthick Kumar @ Escape Karthick

.. Petitioner/Accused

Vs.

State Rep. by  
The Inspector of Police,  
K8 Arumbakkam Police Station,  
Chennai.

..Respondent/Complainant

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

**ORDER**

1. The petitioner was arrested under PT Warrant on 29.04.2021 for the offence punishable under Sections 457, 380 IPC in Crime No. 1017/2020, seeks bail.

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

3. According to learned counsel for the petitioner, the petitioner is innocent of the offence. He has been falsely implicated in this case. He has nothing to do with the alleged offence. He was formally arrested in this case under PT Warrant. The petitioner is in custody from 29.04.2021 and prays for granting bail.

4. On the other hand, learned CPP submits that this petitioner break open the defacto complainant's house and stolen away cash of Rs.6,50,000/ which is set aside to pay GST Tax and Toshiba Laptop. He further submits that the petitioner is having 5 previous cases in Tamil Nadu and 6 cases in Karnataka. Investigation is pending. CCTV footage is available for the occurrence. Properties are not yet recovered. If he is released on bail, there is every possibility for his abscondence and seriously objects the granting of bail.

5. It is a case of break opening and theft. According to CPP, CCTV footage is available for the entry of the petitioner in to the house. The petitioner is native of Karnataka State and therefore, chances for absconding is more. Considering the nature of offence and number of cases pending against the petitioner, this court is not inclined to grant bail to the petitioner.

6. Petition is dismissed.

Delivered by me today.

**Sd/- R. Selvakumar,  
Principal Sessions Judge**

**IN THE COURT OF SESSIONS AT CHENNAI**

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

**Friday, the 9<sup>th</sup> day of July, 2021**

**CrI.M.P.No. 11353/2021**

**in**

**K4 Anna Nagar Nagar P.S. Crime No. 380/2018**

Karthick Kumar @ Escape Karthick

.. Petitioner/Accused

Vs.

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

..Respondent/Complainant

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

**ORDER**

1. The petitioner was arrested under PT Warrant on 29.04.2021 for the offence punishable under Sections 457, 380 IPC @ 457, 380 r/w 414 of IPC in Crime No. 380/2018 on the file of respondent police, seeks bail.

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

3. According to learned counsel for the petitioner, the petitioner is innocent of the offence. He has been falsely implicated in this case. He has nothing to do with the alleged offence. False case has been foisted on him only for satistical purpose. The petitioner is in custody from 29.04.2021 and prays for granting bail.

4. On the other hand, learned CPP submits that this petitioner break opened the defacto complainant's house and stolen away 1.5 Kgs of gold jewels, Diamond Necklace and cash Rs. 2,50,000/. He further submits that the petitioner is a habitual offender and having 5 previous cases in Tamil Nadu and 6 cases in Karnataka. CCTV footage is

available for the occurrence. If he is released on bail, there is every possibility for his abscondence and seriously objects the granting of bail.

5. It is a case of break opening and theft. According to CPP, CCTV coverage is available for the entry of the petitioner into the house. The petitioner is native of Karnataka State and therefore, chances for absconding is more. Considering the nature of offence and number of cases pending against the petitioner, this court is not inclined to grant bail to the petitioner .

6. Petition is dismissed.

Delivered by me today.

**Sd/- R. Selvakumar,  
Principal Sessions Judge**

IN THE COURT OF SESSIONS AT CHENNAI

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

**Friday, the 9<sup>th</sup> day of July, 2021**

**Crl.M.P.No. 11394/2021**

**in**

**N-3, Muthialpet P.S. Crime No.748/2021**

Vineetha

.. Petitioner/Accused

Vs.

State Rep. by  
Inspector of Police,  
N-3, Muthialpet Police Station,  
Chennai.

..Respondent/Complainant

This petition is coming on this day before me for hearing, upon hearing the counsel for the petitioner M/s. C.Johnson Samuel, M.B.Prabhu and CPP for the respondent, this Court delivered the following

**ORDER**

1. The petitioner, who was arrested on 23.6.2021 for the offences punishable under Section 307 of IPC in Crime No.748/2021 on the file of the respondent police, seeks bail.
2. The counsel for the petitioner and the CPP were heard through video conference.
3. The learned counsel for the petitioner submits that there was some relationship between the petitioner and victim. The petitioner is a married woman. Having left her husband, she lived along with the injured Vignesh. There was some settlement to leave the said Vignesh by the mother of Vignesh. She also executed documents stating that she is discontinuing the relationship with Vignesh. Thereafter, she had no connection with the said Vignesh. It appears that the said Vignesh was assaulted by some other persons. The petitioner has been falsely implicated in this case. The petitioner is a woman. She is in custody for the past 17 days and prays for bail.
4. On the other hand, the learned CPP submits that it is a case of 307 IPC. Having received some amount as a settlement, at the instance of the petitioner, the said Vignesh was assaulted with knife by the hooligans. Serious injury has been caused and the petitioner is

the brain behind the crime. Identification Parade was conducted and the persons who attacked the victim were identified. Thus, seriously objects granting bail.

5. On perusal of the C.D., it appears that dispute arose out of the illicit relationship between the petitioner and victim. The petitioner engaged some rowdy elements and assaulted the victim. As per the A.R. entry, he has sustained a cut injury on the left side angle of mandible. With active bleeding, he has been admitted in the hospital. Considering the nature of injury, short duration of custody and that investigation is underway, this court is not inclined to grant bail.

6. Petition is dismissed.

Delivered by me today.

**Sd/- R. Selvakumar,  
Principal Sessions Judge**



IN THE COURT OF SESSIONS AT CHENNAI

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

**Friday, the 9<sup>th</sup> day of July 2021**

**Crl.M.P.No. 11395/2021**

in

**P-6 Kodungaiyur P.S. Crime No. 633/2021**

E. Manimaran

.. Petitioner/Accused.

Vs.

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

..Respondent/Complainant.

This petition is coming on this day before me for hearing, upon hearing M/s. Murali Law Firm, A. Venkatesan, G. Nivedita, M. Vignesh, Counsel for the petitioner and of CPP for respondent, this Court delivered the following :

**ORDER**

1. The petitioner, who was arrested on 28.5.2021 for the offences punishable under Section 380 of IPC in Crime No.633/2021 on the file of the respondent police, seeks bail.
2. The counsel for the petitioner and the CPP were heard through video conference.
3. Learned counsel for the petitioner submits that this petitioner is the friend of defacto complainant. At the instance of the defacto complainant alone, jewels were pledged by the petitioner with the Pawn broker. He has not committed any offence as alleged by the prosecution. He was made as a scape goat. He is in custody for the past 45 days and prays for bail.
4. On the other hand, the learned CPP submits that the petitioner is the neighbour of the defacto complainant. The defacto complainant's sister used to keep her jewels in the defacto complainant's house. Being the neighbour, having smelt the same, the petitioner clandestinely removed the jewels from the house of the defacto complainant. Some of the jewels were recovered from the petitioner and seriously objects granting bail.
5. According to counsel for the petitioner this petitioner pledged the jewels only under the supervision of the defacto complainant . He has made as a scape goat in this case.

No previous case is reported as against the petitioner. He is in custody for the past 45 days. Considering the duration of custody, this court is inclined to grant bail to the petitioner subject to condition.

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

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

(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 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]**.

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

Delivered by me today.

**Sd/- R. Selvakumar,  
Principal Sessions Judge**

Copy to :

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

vv

**CrI.M.P.No. 11395/2021**

**IN THE COURT OF SESSIONS AT CHENNAI**

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

**Friday, the 9<sup>th</sup> day of July, 2021**

**CrI.M.P.No. 11397/2021**

**in**

**P-3 Vyasarpadi P.S. Crime No. 677/2021**

Saddam Hussain

.. Petitioner/Accused

Vs.

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

..Respondent/Complainant

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

**ORDER**

1. The petitioner, who was arrested on 30.6.2021 for the offence punishable under Sections 341, 294(b), 307, 506(ii) IPC in Crime No. 677/2021 on the file of respondent police, seeks bail.

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

3. According to learned counsel for the petitioner, the petitioner is innocent of the offence. He has nothing to do with the alleged offence and he has been falsely implicated in this case. Now, victim was discharged from the hospital. The petitioner is in custody from 30.6.2021 and prays for granting bail.

4. On the other hand, learned CPP submits that there was previous enmity between the defacto complainant's brother and the accused. His brother was murdered by the petitioner along with two other accused. On 29.6.2021, when the defacto complainant proceeding to his work, this petitioner and other accused waylaid him and stating that they will kill him as they murdered his brother and attacked him using knife. Due to which, the

complainant sustained head injury and he was admitted to hospital. After 5 days of inpatient treatment, he was discharged only recently. He further submits that this petitioner is having two previous cases and objects the grant of bail.

5. Due to previous enmity between the defacto complainant's brother and the accused, he was murdered. In continuation of which, the defacto complainant was also assaulted by the gang/accused with deadly weapons and he sustained head injury. He was treated as inpatient for 5 days. Considering the gravity of offence, nature of injury sustained by the victim 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.

**Sd/- R. Selvakumar,  
Principal Sessions Judge**

IN THE COURT OF SESSIONS AT CHENNAI  
**Present: Thiru R. Selvakumar, B.A., M.L.,**  
**Principal Sessions Judge**

**Friday, the 9<sup>th</sup> day of July, 2021**

**Crl.M.P.No. 11068/2021**

**in**

**CSR No. 348/2021**

**in**

**G-3 Kilpauk P.S. Crime No. Not known/2021**

Suresh

.. Petitioner/Accused

Vs.

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

..Respondent/Complainant

This petition is coming on this day before me for hearing, upon hearing M/s. D. Alexis Sudhakar, T. Anto Chrisbeen Jenitha, S. Sirgeth Naina Mohamed, K. Sankar Counsel for the petitioner and of CPP for the respondent, this Court delivered the following

**ORDER**

1. The petitioner, apprehending arrest at the hands of the respondent police, for the alleged offence u/s. 406 IPC in CSR No. 348/2021 in Crime No. Not known/2021 on the file of the respondent police, seeks anticipatory bail.
2. The counsel for the petitioner and the CPP were heard through Video Conference.
3. The counsel for the petitioner submits that the defacto complainant lodged a complaint before the respondent police stating that as if the petitioner got all the original deeds and documents of the defacto complainant's land situated in LIC Nagar, Pallikaranai for verifying legal opinion and did not return the documents to the defacto complainant till date. False complaint has been lodged against the petitioner. He has nothing to do with the alleged offence. Hence, prays for granting anticipatory bail.
4. According to CPP, the matter has been compromised between the parties and the petition is closed.

5. In view of the submission made by the CPP, this petition is dismissed as unnecessary.

Delivered by me today.

**Sd/- R. Selvakumar,  
Principal Sessions Judge**

IN THE COURT OF SESSIONS AT CHENNAI

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

**Friday, the 9<sup>th</sup> day of July, 2021**

**Crl.M.P.No. 11357/2021**

**in**

**J-3 Guindy Traffic Investigation Wing Crime No. 64/2021**

Kallyana Kumar Narayanan

.. Petitioner/Accused

Vs.

State Rep. by  
The Inspector of Police,  
J-3 Guindy Traffic Investigation Wing,  
Chennai.

..Respondent/Complainant

This petition is coming on this day before me for hearing, upon hearing M/s. M.L. Rajesh, S. Nambirajan, R. Nakheeb Ghayaz, J. Parthipan, Counsel for the petitioner and of CPP for the respondent, this Court delivered the following

**ORDER**

1. The petitioner, apprehending arrest at the hands of the respondent police, for the alleged offence u/s. 279, 338 IPC and sec. 185 of Motor Vehicles Act, 1988 altered into sec. 304(ii) IPC in Crime No. 64/2021 on the file of the respondent police, seeks anticipatory bail.
2. The counsel for the petitioner and the CPP were heard through Video Conference.
3. Learned counsel for the petitioner submits that the petitioner is innocent of the offence. He has been falsely implicated in this case. It is a case of road accident. Deliberately, the case has been altered into sec.304(ii) IPC . Hence prays for granting of anticipatory bail.
4. On the other hand, learned CPP submits that it is a drunken driving case. Though the accident took place in February 2021, till date, the petitioner is at large. After taking treatment in hospital for the injuries, as soon as the drunkenness certificate has been obtained. Thereafter, he escaped from the hospital without any intimation. Since then, the police is unable to arrest the petitioner. Earlier, this petitioner was moved before this court

for anticipatory bail and it was dismissed on 11.3.2021. Thus, he seriously objects granting anticipatory bail.

5. Considering the date of accident and dismissal of earlier anticipatory bail petition, this court is not inclined to grant anticipatory bail to the petitioner.

6. Petition is dismissed.

Delivered by me today.

**Sd/- R. Selvakumar,  
Principal Sessions Judge**



IN THE COURT OF SESSIONS AT CHENNAI

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

**Principal Sessions Judge**

**Friday, the 9<sup>th</sup> day of July 2021**

**CrI.M.P.No.11032/2021**

in

**J.2, Adayar Traffic P.S. Cr.No.242/2021**

Prabhu

.. Petitioner/Accused.

Vs.

State Rep. by

The Inspector of Police,

J.2, Adayar Traffic Police Station,

Chennai.

..Respondent/Complainant.

The above petition is coming on this day before me for hearing, upon hearing M/s. N. Mahendra Babu, B. Abdul Samath, U.K. Manimaran, Counsel for the petitioner and of CPP for respondent, this Court delivered the following :

**ORDER**

1. The petitioner, who was arrested on 26.6.2021 for the offence punishable under Section 279, 304(2) of IPC and 134(a), 134(b), 187 of MV Act in Cr.No.242/2021 on the file of the respondent police, seeks bail.

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

3. Learned counsel for the petitioner submits that it is a case of road accident. Due to the negligence of the victim, the accident took place in a junction. However, since the deceased happens to be a Corporation employee, case was registered u/s.304(2) IPC. Whereas, offence u/s.304(A) alone is attracted, which is bailable. The case was also registered u/s.134(a), 134(b) and 187 of MV Act, which is also bailable. Since the nearby public tried to assault the petitioner, he flee away from the scene. He is in custody for the past 2 weeks and he is having valid Driving License. Hence prays for granting bail.

4. On the other hand, learned CPP submits that due to rash and negligent driving of the petitioner, a valuable life has been lost and seriously objects granting bail.

5. On perusal of the Case Diary, it appears the accident took place in a junction, when the deceased and the defacto complainant tried to take a U-turn in the middle of the junction. Whatever it be, it is not a case of drunken-driving. Registering the case u/s.304(2) IPC itself, prima facie, appears to be an exaggerated one. Considering the duration of custody, this court is inclined to grant bail to the petitioner subject to condition.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each 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.

(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 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]**.

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

Delivered by me today.

**Sd./- R. Selvakumar**  
**Principal Sessions Judge**

Copy to :

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

nmk

Crl.M.P.No.11032/2021

IN THE COURT OF SESSIONS AT CHENNAI

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

**Principal Sessions Judge**

**Friday, the 9<sup>th</sup> day of July 2021**

**Crl.M.P.No.11362/2021**

in

**Crl.M.P.No.6944/2020**

in

**K.10, Koyambedu P.S. Cr.No.32/2020**

1. T. Chinnadurai

2. C. Selvi

.. Petitioners/Accused.

Vs.

State Rep. by

The Inspector of Police,(crime branch)

K.10, Koyambedu Police Station,

Chennai.

..Respondent/Complainant.

The above petition is coming on this day before me for hearing, upon hearing M/s. S. Rajesh, D. Rajalakshmi, S. Nazeer Ahamed, Counsel for the petitioners and of CPP for respondent, this Court delivered the following :

**ORDER**

1. Petitioners were granted anticipatory bail by this Court in Crl.M.P.No.6944/2020 on 24.6.2021 for the offences u/s. 406, 420 and 506(ii) of IPC on execution of a bond for Rs.10,000/- each with two sureties each for a like sum and to deposit Rs.2,00,000/- to the credit of the above said crime number before the court concerned and also to appear before the respondent police as and when required for interrogation.

2. Now the present petition has been filed for extension of time.

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

4. Learned counsel for the petitioners submits that due to present pandemic situation, the petitioners are facing financial crisis and they are unable to mobilize the funds to comply the order within the stipulated time. Only after 14.6.2021, the petitioners were able to run their provision shop. Hence, prayed to extend the time to deposit the condition amount.

5. The petitioners were already granted anticipatory bail by this court. Considering the representation made by the petitioners' counsel, this court is inclined to extend the time for further period of 15 days from today. Accordingly, petition is allowed.

Delivered by me today.

**Sd./- R. Selvakumar**  
**Principal Sessions Judge**

Copies to:

1. Learned V Metropolitan Magistrate, Chennai.
2. CPP, Chennai.
3. Inspector of Police, K.10, Koyambedu Police Station, Chennai.

**nmk**

IN THE COURT OF SESSIONS AT CHENNAI

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

**Principal Sessions Judge**

**Friday, the 9<sup>th</sup> day of July 2021**

**CrI.M.P.No.11358/2021**

in

**Cr.No.75/2021**

M. Suresh Kumar

.. Petitioner/Accused.

Vs.

State Rep. by  
The Inspector of Police,  
GRP-Chennai Central Police Station,  
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing, upon hearing M/s. K. Kannan, V. Sathish, S. Vijayaraghavan, S. Suganya, V. Muthupandi, Counsel for the petitioner and of CPP for respondent, this Court delivered the following :

**ORDER**

1. The petitioner, who apprehends arrest at the hands of the respondent police, for the alleged offence u/s. 294(b), 354, 506(ii) of IPC in Crime No.75/2021 on the file of the respondent police, seeks anticipatory bail.
2. Learned counsel for the petitioner and the learned CPP were heard through Video Conference.
3. Learned counsel for the petitioner submits that petitioner is an Advocate. He has been engaged by his client to defend him in a complaint against him before the Railway Police, Central Railway Station, Chennai. When the petitioner went there, there was a wordy quarrel between the defacto complainants' family and the petitioner. Being aggrieved at, a false and belated complaint has been lodged against this petitioner. Petitioner apprehends arrest at the hands of the respondent and hence prays for granting anticipatory bail.
4. On the other hand, learned CPP submits that the defacto complainant is a Law Student. While she was travelling in Kovai Express, a person by name Vinoth misbehaved with her. In connection with the said indecent occurrence, a complaint was lodged before

the Railway Police, Central Railway Station, Chennai. There, the petitioner came and argued with the defacto complainant and her uncle and aunt, both of them happens to be Advocates, in a vulgar language and threatened them to withdraw the complaint, otherwise, he will do away with all the three and thus objects granting anticipatory bail.

5. On perusal of the Case Diary, it appears the occurrence took place on 13.3.2021 in Kovai Express between the defacto complainant and a male(Vinoth) aged about 34 years. When the train reached Central Railway Station, Chennai, a complaint has been lodged against him for misbehaviour. When the matter is pending for enquiry, to assist the accused(Vinoth) in the said case, the present petitioner went there and there was a wordy quarrel. The present complaint itself has been lodged after 5 days on 18.3.2021. Why, the complaint has not been lodged immediately, there is no explanation. Especially when the defacto complainant is a law student and her uncle and aunt are Advocates. In view of the delay, there are chances for exaggeration and imagination. Except Sec.506(ii) IPC, other offences areailable. No deadly weapon was used as per FIR. Mere oral threat need not amount to criminal intimidation attracting Sec.506(ii) IPC, when the affected parties are three in number. So far, the prosecution has not chosen to arrest the petitioner. Considering all these circumstances, this court is inclined to grant anticipatory bail to the petitioner subject to following conditions.

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

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

[b] the petitioner shall appear and sign 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.

**Sd./- R. Selvakumar**  
**Principal Sessions Judge**

Copies to:

1. The XVI Metropolitan Magistrate, Chennai.
2. CPP, Chennai.
3. The Inspector of Police, GRP-Central Railway Police Station, Chennai.

nmk

**Crl.M.P.No.11358/2021**

IN THE COURT OF SESSIONS AT CHENNAI

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

**Principal Sessions Judge**

**Friday, the 9<sup>th</sup> day of July 2021**

**Crl.M.P.No.11393/2021**

in

**P.4, Basin Bridge P.S. Crime No.177/2021**

Kamaladevi @ Kamala

.. Petitioner/Accused

Vs.

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

..Respondent/Complainant

This petition is coming on this day before me for hearing, upon hearing the counsel for the petitioner M/s. C.Johnson Samuel, M.B. Prabhu and CPP for the respondent, this Court delivered the following

**ORDER**

1. The petitioner, who was arrested on 6.5.2021 for the offences punishable under Section Sec.147, 148, 302 of IPC in Crime No.177/2021 on the file of the respondent police, seeks bail.

2. The counsel for the petitioner and the CPP were heard through video conference.

3. Learned counsel for the petitioner submits that the petitioner happens to be the sister of prime accused/Ruban and mother of Juvenile accused Sanjay. Though the petitioner is not having any role in the alleged murder, in view of the relationship, she has been falsely implicated and she is in custody for more than two months. Hence, prays for granting bail.

4. On perusal of the Case Diary, it appears wife of the petitioner's brother/Ruban had been murdered due to some suspicious relationship with his enemy Sarath, in which more than 6 persons involved. Even as per FIR and other connected records, the present petitioner is not at all in the place of occurrence. There are chances of false implication of the petitioner due to relationship. Further more, the accused is in custody for more than two months. Investigation is over. Considering the gender of the accused and duration of custody, this court is inclined to grant bail to the petitioner subject to condition.



5. 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 X Metropolitan Magistrate, Chennai and on further condition that

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

(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 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]**.

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

Delivered by me today.

**Sd./- R. Selvakumar**  
**Principal Sessions Judge**

Copy to :

1. The learned X Metropolitan Magistrate, Chennai.
2. The Superintendent, Central Prison(women), Puzhal, Chennai.

**CrI.M.P.No. 11393/2021**

IN THE COURT OF SESSIONS AT CHENNAI

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

**Principal Sessions Judge**

**Friday, the 9<sup>th</sup> day of July 2021**

**Crl.M.P.No.11392/2021**

in

**P.4, Basin Bridge P.S. Crime No.177/2021**

1. Kodhandan @ Godhandaraman
2. Prem @ Premnath
3. Sudhagar

.. Petitioners/Accused

Vs.

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

..Respondent/Complainant

This petition is coming on this day before me for hearing, upon hearing M/s. P. Parthipan, S.Arunraj, J. Ramkumar, counsel for the petitioner and of CPP for the respondent, this Court delivered the following

**ORDER**

1. The petitioners, who were arrested on 22.5.2021 for the offences punishable under Section Sec.147, 148, 302 of IPC in Crime No.177/2021 on the file of the respondent police, seeks bail.
2. The counsel for the petitioners and the CPP were heard through video conference.
3. Learned counsel for the petitioners submits that the petitioners are innocent. There was dispute between the deceased and her husband/Ruban. Over which, a false complaint has been lodged against Ruban and his family members. The petitioners are not at all present in the scene of occurrence. They have been falsely implicated in this case. They are in custody from 22.5.2021. Hence, prays for granting bail.
4. It is a case of brutal murder due to previous enmity. One Supriya was done to death by the petitioners and others. Learned counsel for the petitioners submits that the petitioners are not at all present in the place of occurrence. On the other hand, FIR would go to show the present petitioners flee away from the scene of occurrence immediately after the incident. The assault was made by two juveniles and others. It is a preplanned murder due to vengeance and suspicious relationship of Supriya(deceased) with rival of her

husband/Ruban. There was a previous murder also. Under such circumstances, releasing the petitioners on bail may create law and order problem and thus considering the short duration of custody, this court is not inclined to grant bail to the petitioners at present.

5. Hence, the petition is dismissed.

Delivered by me today.

**Sd./- R. Selvakumar**  
**Principal Sessions Judge**

nmk

IN THE COURT OF SESSIONS AT CHENNAI

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

**Principal Sessions Judge**

**Friday, the 9<sup>th</sup> day of July 2021**

**CrI.M.P.No.11383/2021**

in

CrI.R.C.No.50/2021

against

M.P.No.24/2021

in

LIR.No.158/Sec.Pro/DCP WPT/2021

in

H.1, Washermenpet P.S. Sl.No.7/2021 u/s.107 Cr.P.C.,

Dinesh @ Kava Dinesh

... Petitioner/Appellant/Accused

Vs.

1. The Executive Magistrate cum Deputy Commissioner of Police,  
Washermenpet Range,  
Chennai.

2. The Inspector of Police, (Law & Order)  
H.1, Washermenpet Police Station,  
Chennai.

.. Respondents/Respondents/  
Complainant

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

**ORDER**

1. The petitioner in the above case seeks suspension of sentence pending disposal of the revision petition.

2. The counsel for the petitioner was heard through Video Conference.

3. The Petitioner herein is the accused in M.P.No.24/2021 in LIR.No.158/Sec. Pro/DCP WPT/2021 on the file of the 1<sup>st</sup> respondent and he was convicted and sentenced to undergo imprisonment for 296 days for violation of bond executed u/s 107 of Cr.P.C. as per the order dated 28.6.2021.

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

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

6. The learned counsel for the petitioner would further submit that the accused will not abscond and would be available to undergo the sentence, if the appellate Court confirms the order passed by the Executive Magistrate. As already stated supra, the Petitioner / Accused was ordered to undergo imprisonment for a period of 296 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 1<sup>st</sup> respondent / Executive Magistrate is hereby stayed till the disposal of the revision and the petitioner is ordered to be enlarged on bail on his executing a bond for Rs.10,000/- with two sureties each for a likesum to the satisfaction of the XV Metropolitan Magistrate, Chennai.

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

9. The Revision is posted on 9.8.2021.

Delivered by me today.

**Sd./- R. Selvakumar**  
**Principal Sessions Judge**

**Copy to :**

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

nmk

IN THE COURT OF SESSIONS AT CHENNAI

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

**Principal Sessions Judge**

**Friday, the 9<sup>th</sup> day of July 2021**

**CrI.M.P.No.11407/2021**

in

**CrI.R.C.No.51/2021**

against

**M.P.No.25/2021**

in

**LIR.No.234/Sec.Pro/DCP WPT/2020**

in

**H.1, Washermenpet P.S. Sl.No.52/2020 u/s.107 Cr.P.C.,**

Gaja @ Gajalakshmi

... Petitioner/Appellant/Accused

Vs.

1. The Executive Magistrate cum Deputy Commissioner of Police,  
Washermenpet,  
Chennai.

2. The Inspector of Police, (Law & Order)  
H.1, Washermenpet Police Station,  
Chennai.

.. Respondents/Respondents/  
Complainant

This petition is coming on this day before me for hearing, upon hearing M/s. R. Thulasi Manikandan, M. Nithiyavel, M. Kokila, counsel for the petitioner and upon perusing the records, this Court delivered the following:

**ORDER**

1. The petitioner in the above case seeks suspension of sentence pending disposal of the revision petition.

2. The counsel for the petitioner was heard through Video Conference.

3. The Petitioner herein is the accused in M.P.No.25/2021 in LIR.No.234/Sec. Pro/DCP WPT/2020 on the file of the 1<sup>st</sup> respondent and he was convicted and sentenced to undergo imprisonment for 32 days for violation of bond executed u/s 107 of Cr.P.C. as per the order dated 28.6.2021.

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

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

6. The learned counsel for the petitioner would further submit that the accused will not abscond and would be available to undergo the sentence, if the appellate Court confirms the order passed by the Executive Magistrate. As already stated supra, the Petitioner / Accused was ordered to undergo imprisonment for a period of 32 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 1<sup>st</sup> respondent / Executive Magistrate is hereby stayed till the disposal of the revision and the petitioner is ordered to be enlarged on bail on her executing a bond for Rs.10,000/- with two sureties each for a likesum to the satisfaction of the XV Metropolitan Magistrate, Chennai.

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

9. The Revision is posted on 9.8.2021.

Delivered by me today.

**Sd./- R. Selvakumar**  
**Principal Sessions Judge**

**Copy to :**

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

nmk

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Friday, the 9<sup>th</sup> day of July, 2021.

CrI.R.C.No.46/2021

against

CrI.M.P.No.5416/2020

in

CrI.M.P.No.8375/2020

in

H-3 P.S. Cr.No.4249/2020

(On the file of the XV Metropolitan Magistrate, George Town, Chennai)

Kareem @ Abdul Kareem

...Petitioner/Respondent/Accused

-Vs-

State, Inspector of Police,  
H-3, Tondiarpet Police Station,  
Chennai.

...Respondent/Petitioner/Complainant

This petition coming on 6.7.2021 for final hearing, upon hearing M/s.M.Illiyas and A.Venkateswara Babu, Counsel for revision petitioner and of City Public Prosecutor for respondent and upon perusing the case-records and the trial court order and having stood over for consideration till date, this court delivered the following :-

**ORDER**

1. This revision has been filed by the petitioner / accused against the order passed by the learned XV Metropolitan Magistrate, George Town, Chennai, thereby cancelling the bail granted to the revision petitioner by this court in CrI.M.P.No.8375/2020 in Cr.No.4249/2020.



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

3. As per the case of the respondent / prosecution, after releasing the revision petitioner on bail by this court in CrI.M.P.No.8375/2020, he failed to obey the bail condition by furnishing sureties after his release and further, he had involved in another case of murder and thus, the prosecution sought for cancelling the bail already granted in CrI.M.P.No.8375/2020. Agreed with the prayer, the learned Magistrate was pleased to cancel the bail already granted.

4. On perusal of the records, bail was granted to the petitioner in H-3, Tondiarpet P.S. Cr.No.4249/2020 by this court on own bond with condition to execute two sureties for a sum of Rs.10,000/- each before the concerned Magistrate within one week of regular functioning of the courts. The revision petitioner has not executed the sureties. The bail was cancelled by the Magistrate only because of the involvement of the revision petitioner in the subsequent case.

5. According to the learned counsel for the revision petitioner, due to pandemic situation, he could not furnish sureties. He has been falsely implicated in the subsequent case in M-5, Ennore P.S. Cr.No.4249/2020 and thus, there is no justification to cancel the bail.

6. The Hon'ble High Court of Karnataka at Bengaluru in Criminal Petition No.4598/2020, dated 5.11.2020, in para-24 of the judgment, it has been held as follows :

*“To invoke Section 439(2) of Cr.P.C., there must be material before the Court to show that there is violation of conditions of the bail order granted or the accused is coming in the way of*

*trial. Mere filing of cases is not a ground to come to the conclusion that he is a habitual offender and he has to be tried and found material that he is having criminal antecedents and having considered the nature of cases registered against him and the offences invoked against him, it requires full fledged trial to ascertain the truth. When no such circumstances have been made out in the case on hand, this Court is not inclined to exercise powers conferred under Section 439(2) Cr.P.C.”*

7. Registering of subsequent case, at times, may be by the police in order to cancel the bail already granted. If such practice is allowed, registering a false case for the purpose of cancelling the bail will become a routine. As far as the furnishing of sureties, according to the petitioner, due to Covid-19 pandemic situation after his release, he was unable to furnish the sureties and thereafter, he was implicated in the subsequent case and remanded to custody on 18.9.2020. Under such circumstances, since there is no violation of condition imposed by the court, cancellation of bail by the Magistrate is not proper and thus, this revision deserves to be allowed.

8. In the result, the revision petition is allowed. The order passed by the learned XV Metropolitan Magistrate, Chennai in CrI.M.P.No.5416/2020, dated 29.1.2021 is set aside. 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 XV Metropolitan Magistrate, Chennai.

Dictated to the Stenographer, transcribed by him, corrected and pronounced by me in the open Court this the 9<sup>th</sup> day of July, 2021.

Sd/- R. Selvakumar,  
PRINCIPAL SESSIONS JUDGE

Copy to :

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

ss