

IN THE COURT OF SESSIONS AT CHENNAI

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

Wednesday, the 10th day of August, 2022

CrI.M.P.No. 14280/2022

in

C-4 G.H. P.S. Crime No. 61/2022

Azarudeen

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
C-4 G.H. Police Station,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s. M.R. Mohammed Fazululla, D. Vinodh Kumar, M.R. Mohammed Ismail, 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 2.7.2022 for the offence punishable under Section 379 IPC in Crime No.61/2022 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that the petitioner is innocent of the offence. This petitioner is working in Dunzo. He has nothing to do with the alleged offence. False case has been foisted on him only for statistical purpose. He is in custody from 2.7.2022 and prays for granting bail.

4. According to CPP, this petitioner along with three other accused committed theft of defacto complainant's two wheeler bearing registration No. TN 04 AY 1577 when it was parked at Tower-1 backside of Rajiv Gandhi Government General Hospital. He further submits that totally 9 bikes were stolen by the accused including the defacto complainant's motor bike which were parked at hospital premises. He further submits that

this petitioner is having 2 previous cases of similar nature. However, he submits that the all the bikes were recovered.

5. It is reported by the CPP that all the bikes involved in this case has been recovered. The petitioner is in custody for more than a month. 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 VIII 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 VIII Metropolitan Magistrate, Chennai.
2. The Superintendent, Central Prison, Puzhal, Chennai.

vv

Crl.M.P.No. 14280/2022

IN THE COURT OF SESSIONS AT CHENNAI

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

Wednesday, the 10th day of August, 2022

Crl.M.P.No. 14281/2022

in

P-1 Pulianthope P.S. Crime No. 464/2022

Karuppa (a) Abhavanan

.. Petitioner/Accused

Vs.

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

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s. C. Jeevakumar, P. Sathish, M. Janakiraman, Counsel for the petitioner and of CPP for respondent and upon hearing them, this Court delivered the following :

ORDER

1. The petitioner, who was arrested on 16.7.2022 for the offence punishable under Section 397 IPC in Crime No. 464/2022 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that the petitioner is innocent of the offence. He has nothing to do with the alleged offence. False case has been foisted on him only for statistical purpose. He is in custody from 16.7.2022 and prays for granting bail.

4. According to CPP, this petitioner/a2 along with another accused waylaid the defacto complainant, attacked him using steel rod and caused injury to him and also robbed Rs.2150/- from him. However, according to CPP, victim sustained simple injury and he has been treated as out-patient and that the property involved in this case has been recovered.

5. It is reported by the CPP that the amount involved in this case has been recovered. Victim sustained simple injury and he has been treated as out-patient. No

previous case is reported against the petitioner. The petitioner is in custody for more than three weeks. 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 X Metropolitan Magistrate, Chennai and on further condition that

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

(b) the petitioner shall appear before the respondent police daily at 10.00 a.m. until further orders.

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

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

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

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

Delivered by me today in the open Court.

Principal Sessions Judge

Copy to

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

vv

Crl.M.P.No. 14281/2022

IN THE COURT OF SESSIONS AT CHENNAI

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

Wednesday, the 10th day of August, 2022

Crl.M.P.Nos. 14282/2022 &14288/2022

in

D-2 Anna Salai P.S. Crime No. 168/2022

K. Packiaraj

.. Petitioner/Accused
in Crl.M.P.No.14282/2022

1. Saravanan

2. Savuthiri @ Vasanth

3. Baskar

.. Petitioners/Accused
in Crl.M.P.No.14288/2022

Vs.

State Rep. by
The Inspector of Police,
D-2 Anna Salai 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.S. Senthilkumar, A. Kripakaran, Counsel for the petitioner in Crl.M.P.No.14282/2022 and of M/s. R. Thamaraiselvan, S. Venkatesan, Counsel for the petitioners in Crl.M.P.No.14288/2022 and of CPP for respondent and upon hearing them, this Court delivered the following :

ORDER

1. The petitioner in Crl.M.P.No.14282/2022, who was arrested on 25.7.2022 and the petitioners in Crl.M.P.No.14288/2022, who were arrested on 26.7.2022 for the offence punishable under Section 392 and 397 IPC in Crime No. 168/2022 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner in Crl.M.P.No.14282/2022 submits that the petitioner is innocent of the offence. He is no way connected with the alleged offence. This petitioner was arrested only on mistaken identity. This petitioner is a handicapped person and it has been certified by the Government of Tamil Nadu that his disability is assessed at 60%. He has been falsely implicated in this case. The petitioner has no bad antecedents. He is in custody from 25.7.2022 and prays for granting bail.

4. Learned counsel for the petitioners in CrI.M.P.No.14288/2022 submits that these petitioners are innocent of the offence. They have not committed any offence as alleged by the prosecution. They are aged 18 and 19 years. False case has been foisted on them with an ulterior motive. The petitioners are in custody from 26.7.2022 and prays for granting bail.

5. On the other hand, learned CPP submits that totally 9 accused. On 27.6.2022, based on the instruction of the defacto complainant's employer, he went to SBI ATM nearby LIC to deposit cash Rs.20,00,000/- in his motor bike Honda Shine bearing Registration No. TN 63 AD 7476. At that time, these petitioners came there, attacked the defacto complainant with knife on his shoulder and snatched the cash bag and fled away from the spot. Due to the said attack made by the accused, the complainant sustained injury on his arm. He further submits that each petitioner is having 2 previous cases. Out of Rs.20 lakhs, only Rs.2,80,000/- has been recovered. Major portion of amount is not yet recovered. A3 and A4 are still absconding. Investigation is not yet completed. Hence, he seriously objects the granting of bail.

6. It is a case of robbery. Huge amount has been robbed by the petitioners after made attack on the defacto complainant. It is stated by the CPP that out of Rs.20 lakhs, only Rs.2,80,000/- has been recovered and remaining portion of amount is not yet recovered. A3 and A4 and still absconding and they are yet to be arrested. Investigation is still going on. Though the counsel for the petitioner in CrI.M.P.No.14282/2022 submits that he is physically challenged person and his disability is assessed at 60%, there are chances for accompanying with other accused to commit the crime. Considering the nature of allegations made against the petitioners, major portion of amount is yet to be recovered, antecedents of the petitioners and the stage of the investigation, this court is not inclined to grant bail to the petitioners at present.

7. Hence, both the petitions are 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**

Wednesday, the 10th day of August, 2022

Crl.M.P.No. 14283/2022

in

F-3 Nungambakkam P.S. Crime No. 243/2022

1. Selvaraj
2. Ramakrishna
3. Babu

.. Petitioners/Accused

Vs.

State Rep. by
The Inspector of Police,
F-3 Nungambakkam 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, K. Rohini, Counsel for the petitioners and of CPP for respondent and upon hearing them, this Court delivered the following :

ORDER

1. The petitioners, who were arrested on 4.8.2022 for the offence punishable under Section 328 IPC r/w 24(1) of COTP Act 2003 in Crime No.243/2022 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that the petitioners are innocent of the offence. They have has nothing to do with the alleged offence. False case has been foisted on them only for statistical purpose. The petitioners are in custody from 4.8.2022 and prays for granting bail.

4. On the other hand, learned CPP submits that during vehicle check, it was found by the respondent police that these petitioners illegally transported the banned tobacco products from Karnataka State to Tamil Nadu in a Mahindra Van and supply the same to petty shops for higher price. At the time of search, it was found that the petitioners were found in possession of 400 Kg of banned tobacco products such as Hans packets 180 Kg,

Cool lip 116 Kg, V1-30 Kg, Swagat gold 48 Kg, MDM 26 Kg and transported the same with intention to sell here for higher value. He further submits that the 1st petitioner is having 3 previous cases, whereas other two petitioners have no bad antecedents. Arrest of the petitioners is very recent one. Investigation is at an early stage. Hence, he objects the grant of bail.

5. Considering the fact that huge quantity of banned tobacco products were seized from the petitioners at the time of search conducted by the police, investigation is at an early stage and short duration of custody, this court is not inclined to grant bail to the petitioners 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**

Wednesday, the 10th day of August, 2022

Crl.M.P.No. 14284/2022

in

R-5 Virugambakkam P.S. Crime No. 506/2022

Kamalesh

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
R-5 Virugambakkam Police Station,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s. S. Senthil 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 25.7.2022 for the offence punishable under Section 341, 294(b), 323, 336, 427, 392, 397 and 506(ii) IPC in Crime No. 506/2022 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 him only for statistical purpose. No one sustained injury in this case. The petitioner is in custody from 25.7.2022 and prays for granting bail.

4. On the other hand, learned CPP submits that this petitioner/A2 along with another accused waylaid the defacto complainant and robbed Rs.300/- and a cell phone from him at knife point and also attempted to attack him with knife. He further submits that this petitioner is a habitual offender and he is having 6 previous cases. Arrest of the

petitioner is very recent one. If he is enlarged on bail, again, he will indulge in similar nature of crime. Hence, he objects the grant of bail.

5. Considering the nature of offence, antecedents of the petitioner, short duration of custody 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 10th day of August, 2022

Crl.M.P.No. 14286/2022

in

R-5 Virugambakkam P.S. Crime No. 516/2022

Vignesh @ Kamal

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
R-5 Virugambakkam Police Station,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s. P. Muthamizh Selvakumar, A. Esakkipandy, Prasanth @ Vijay, V.G. Nishok, R. Vasanth, 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 1.8.2022 for the offence punishable under Section 341, 294(b), 323, 324, 307 and 506(ii) IPC in Crime No. 516/2022 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. Victim was discharged from the hospital. The petitioner has no bad antecedents. He is in custody from 1.8.2022 and prays for granting bail.

4. On the other hand, learned CPP submits that due to previous enmity, this petitioner/A2 along with another accused waylaid the victim, attacked him with knife and caused injury on his head and both hands. Victim was admitted to Stanley hospital and still he is taking treatment. Investigation is at an early stage. Arrest of the petitioner is

very recent one. A1 is absconded. If the petitioner is released on bail, chances for absconding is more and he may cause hindrance to the investigation. Hence, he seriously objects the grant of bail.

5. It is a case of 307 IPC. The allegation against the petitioner is that he along with another accused attacked the victim using deadly weapon and caused grievous injury to him. According to CPP, victim is still in hospital. Investigation is at an early stage. Arrest of the petitioner is very recent one. Considering the nature of injury sustained by the victim and he is still in hospital, objection made by the CPP, stage of the investigation 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**

Wednesday, the 10th day of August, 2022

Crl.M.P.No. 14287/2022

in

PRC No. 168/2021

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

in

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

Surya

.. Petitioner/Accused

Vs.

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

..Respondent/Complainant.

The above petition is coming on this day before me for hearing in the presence of M/s. M. Murali Vinodh, P.M. Syed Abu Tahir, R. Manivannan, A.B. Sathish Kumar, Counsel for the petitioner and of CPP for respondent and upon hearing them, this Court delivered the following :

ORDER

1. The petitioner, who was arrested on 12.7.2022 on execution of NBW for the offence punishable under Section 302 IPC in PRC .No. 168/2021 on the file of V Metropolitan Magistrate, Egmore, Chennai in Crime No. 141/2021 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 committal court on the date of hearing due to his own sister's medical emergency and therefore, NBW was issued against him on 17.5.2022. This petitioner's absence is neither wilful nor wanton. Prior to the issuance of NBW, he has regularly attended the court.

Hereafter, he will be regular in attending the court. He is ready to abide by any condition that may be imposed on him. He is in custody from 12.7.2022 and prays for granting bail.

4. According to CPP, NBW was issued against the petitioner on 17.5.2022 and it was executed on 12.7.2022. Now, the case is pending at committal stage. If he is released on bail, the further proceedings of the case will be stalled. Hence, he seriously objects the grant of bail.

5. It is a case of 302 IPC. NBW was issued against the petitioner on 17.5.2022 and it was executed on 12.7.2022. In the meantime, the petitioner has not chosen to surrender and recall the warrant. According to CPP, due to the absence of this petitioner, the case could not be committed to the Court of Sessions. If he is released on bail, chances for absconding is more and he will not be available for committal prosecution. This court finds force in the contention of CPP. Under the above said 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**

Wednesday, the 10th day of August, 2022

Crl.M.P.No. 14290/2022

in

R-1 Mambalam P.S. Crime No. 153/2022

Ramyavathi

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
R- 1 Mambalam Police Station,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s. K. Muthuvel, L. Lingeswaran, 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 4.8.2022 for the offence punishable under Section 328 IPC r/w 24(1) of COTP Act 2003 in Crime No.153/2022 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that the petitioner is innocent of the offence. She has not committed any offence as alleged by the prosecution. False case has been foisted on her only for statistical purpose. The petitioner has no bad antecedents. She is in custody from 4.8.2022 and prays for granting bail.

4. On the other hand, learned CPP submits that totally 3 accused in this case. This petitioner is A3. This petitioner along with other accused indulged in selling banned tobacco products and supplied the same to various parts in Chennai. At the time of search conducted by the police, this petitioner along with others were found in possession of 30.800 kg of banned tobacco products worth about Rs.1 lakh and cash Rs.4000/- towards the sale proceeds of the tobacco products. Investigation is pending. However, he submits

that the entire properties and the cash Rs.4000/- towards the sale proceeds has been recovered and that the petitioner has no bad antecedents.

5. It is reported by the CPP that the properties involved in this case has been recovered. No previous case is reported against the petitioner. No one is reported as hospitalized after consuming the contraband. The petitioner is in custody from 4.8.2022. Considering all 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 XVII 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 XVII Metropolitan Magistrate, Chennai.
2. The Superintendent, Central Prison (for women), Puzhal, Chennai.

vv

Crl.M.P.No. 14290/2022

IN THE COURT OF SESSIONS AT CHENNAI

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

Wednesday, the 10th day of August, 2022

Crl.M.P.No. 14291/2022

in

J-7 Velachery P.S. Crime No. 382/2022

Ramu @ Ramachandran

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
J-7 Velachery Police Station,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s. V. Jaisankar, K. Narendran, R. Parthiban, 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 452, 294(b), 307 IPC in Crime No. 382/2022 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that the petitioner is innocent of the offence. He has nothing to do with the alleged offence. Injured has been discharged from the hospital. He is in custody from 2.8.2022 and prays for granting bail.

4. According to CPP, due to previous enmity, this petitioner attacked the defacto complainant with knife and caused injury on his head and 20 sutures were made, the victim was admitted to hospital and after one day treatment, he was discharged. Investigation not yet completed. He further submits that the arrest of the petitioner is very recent one. Hence,he objects the grant of bail.

5. Considering the nature of injury sustained by the victim and the 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**

Wednesday, the 10th day of August, 2022

Crl.M.P.No. 14293/2022

in

K-2 Ayanavaram P.S. Crime No. 295/2022

Surya

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
K-2 Ayanavaram Police Station,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s. S. Mohanraj, V. Vinodha, V. Pazhanisamy, 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 23.7.2022 for the offence punishable under Section 379 IPC in Crime No. 295/2022 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that the petitioner is innocent of the offence. He has been falsely implicated in this case. The property involved in this case has been recovered. The petitioner is in custody from 23.7.2022 and prays for granting bail.

4. According to CPP, this petitioner along with another accused snatched the college bag from the defacto complainant which contains cash Rs.5000/- and escaped from the spot. He further submits that this petitioner is having one previous case. However, he submits that cash Rs.4500/- has been recovered.

5. It is reported by the CPP that major portion of amount has been recovered. The petitioner is in custody for more than two weeks. 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 V Metropolitan Magistrate, Chennai and on further condition that

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

(b) the petitioner shall appear before the respondent police daily at 10.00 a.m. until further orders.

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

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

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

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

Delivered by me today in the open Court.

Principal Sessions Judge

Copy to :

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

vv

Crl.M.P.No. 14293/2022

IN THE COURT OF SESSIONS AT CHENNAI

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

Wednesday, the 10th day of August, 2022

CrI.M.P.No. 12038/2022

in

F.No. ECIR/CEZO-1/14/2017

(on the file of Assistant Director, Directorate of Enforcement, Chennai-1, Zonal Office)

Farzanali Kadri

.. Petitioner/Accused

Vs.

State Rep. by
The Assistant Director,
Directorate of Enforcement,
Government of India,
Chennai 600 006.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s. M. Venkadesh Kumar, L. Santhosh Kumar, J. Thomas Edwin Fantin, Counsel for the petitioner and of Mr. P. Sidharthan, Special Public Prosecutor for ED, for respondent and upon hearing them, this Court delivered the following :

ORDER

1. The petitioner, who was arrested on 5.7.2022 for the offence punishable under Section 3 of Prevention of Money Laundering Act in Crime No. ECIR/CEZO/14/2017 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that the allegation against the petitioner is that he being the Director of the company by name Brilliant Champ International Development Limited, carried out International Trade based money-laundering at the instance of undisclosed beneficial owner which caused depletion of foreign exchange reserve of the republic of India. In a hurried manner, this petitioner was arrested on 5.7.2022 and he was forced to sign the arrest order without informing anything to him. This petitioner did not have any knowledge about the existence of the above said company. He went to China via Hong Kong for business purpose with his friend. To get China visa for his

friend, they stayed at Javid's friend Imran's house in Hong Kong. The signatures shown to him during the enquiry is not his signature and some one has forged it. He does not know the existence of the company and he has not incorporated it. He is innocent of the offence. In order to escape from the clutches of law, someone has forged his signature and dragged him into this case. He is the sole bread winner of his family. He has to take care of his bug family. This petitioner also having several medical issues. The petitioner has no previous cases. He is in custody from 5.7.2022. He is ready to abide by any condition that may be imposed on him. Hence, prays for granting bail.

4. On the other hand , learned SPP, filed a detailed counter stating that 19 firms fraudulently opened current accounts in PNB, Mint Street, Chennai, that during the year 2015, the unknown public servants of PNB entered into criminal conspiracy with the above mentioned 19 account holders and abused their official position and in furtherance to the criminal conspiracy, the above said entities were sending foreign exchange to Hong Kong without genuine business transactions. The modus operandi was that the customers got remittances from various other banks to their accounts by way of RTGS and presented their request with a quotation issued by foreign supplier for 100% advance remittances. Each remittance amount was kept in such a way that it would not exceed the threshold limit of USD 100000 in order to circumvent the regulatory requirement and applicability of RBI. They were around 700 advance remittances made for the import through various current accounts opened during the period from January 2015 to May 2015 totalling to the tune of INR 424.58 Crore. All the advance remittances were routed through Nostro (Account held by PNB with a foreign bank in a foreign country i.e., USD) account maintained with HSBC, New York. The bank verified the addresses of the said account holders on the advice of the Concurrent Auditors and found that none of the units were functioning in the available addresses. It is a case of money laundering through shell companies and there has been loss of Foreign Exchange to the tune of INR 424.58 Crores. He further submits that during the course of investigation, it was revealed that 19 bank accounts of PNB, Mint Street carried out 772 transactions and sent foreign exchange to the extent of USD 70871531.02 equivalent to INR 449,78,62,434/- (approximately 450 Crores) outside India in the guise of advance import remittance but in actuality no import took place. Majority of the money has been diverted to Hong Kong SAR and United Arab

Emirates. Further, certain Indian individuals like the above mentioned accused have travelled to Hong Kong and incorporated several entities along with bank accounts there in order to receive the above said tainted money in the entities bank accounts. During investigation it was revealed that this petitioner incorporated and is the Director of M/s. Brilliant Champ International Development Ltd., having registered address at Unit 1105, 11/F, Golden Era Plaza, 39-55 Sai Yee Street, Mongkok, Kowloon, Hong Kong, maintaining bank account No. 774404891883 with Heng Seng Bank Limited, Central Hong Kong branch and he is the recipient of the proceeds of crime. This petitioner has illegitimately enriched himself with huge amount of Rs.1.79 Crores through his company which was not involved in any genuine business but formed for the sole purpose of parking proceeds of crime and the proceeds of crime were moved through the normal banking channel, projecting it as genuine transactions of advance remittances towards import of goods, in an attempt to legitimize its illicit origin and thereby committed International Trade based Money Laundering. This petitioner has violated the provisions of all the limbs of Sec.3 of PMLA, 2002. He not only committed the scheduled offences, but also committed the offence of Money Laundering. The petitioner committing the scheduled offences had acquired proceeds of crime and was in possession of the same and further enjoyed the proceeds of crime by concealing its origin and by projecting and claiming the same as untainted. There was no actual business happening in India. Investigation is going on. If the petitioner is released on bail, he would flee from India. Hence, he objects the granting of bail.

5. The allegation against the petitioner is that he incorporated the company M/s. Brilliant Champ International Development Limited and carried out International Trade Based money laundering, at the instance of undisclosed beneficial owner and end-use, and caused depletion of foreign exchange reserves of the Republic of India. As such, cumulative amount of USD 2,81,338/- equivalent to INR 1,79,52,033/- were received by the petitioner's above said company, which are nothing but proceeds of crime since unaccounted tainted money had been sent from untraceable dummy entities accounts in India to Hong Kong in the guise of advance towards import but in actuality no exports were made to India from the Hong Kong entities. The money was sent with the sole

intention of siphoning the money out of the India. The learned SPP also relies on the observation made by the Hon'ble Supreme Court in the case **State of Gujarat Vs. Mohanlal Jitamalji Porwal and others (1987) 2 SCC 364** it was held as under

The entire community is aggrieved if the economic offenders who ruin the economy of the State are not brought to book. A murder may be committed in the heat of moment upon passions being aroused. An economic offence is committed with cool calculation and deliberate design with an eye on personal profit regardless of the consequence to the community. A disregard for the interest of the community can be manifested only at the cost of forfeiting the trust and faith of the community in the system to administer justice in an even-handed manner without fear of criticism from the quarters which view while collar crimes with a permissive eye unmindful of the damage done to the national economy and national interest”

This petitioner was arrested based on the incriminating materials gathered against him during investigation. The investigation reveals that the petitioner had derived huge proceeds of crime by commission of scheduled offence. Investigation is not yet completed. If the petitioner is released on bail, chances for absconding is more. Considering the gravity of offence, 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**

Wednesday, the 10th day of August, 2022

Crl.M.P.No.14331/2022

in

F.5, Choolaimedu P.S., Crime No.211/2022

V. Manikandan

.. Petitioner/Accused.

Vs.

State Rep. by
The Inspector of Police,
F.5, Choolaimedu Police Station,
Chennai.

..Respondent/Complainant.

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

ORDER

1. The petitioner, who was arrested on 16.6.2022 for the offence punishable under Section 376 and 506(i) IPC in Crime No.211/2022 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that the petitioner is innocent. Both the petitioner and the victim are lovers. However, the victim married another person and the petitioner also married another girl. But, the victim deserted her husband on the date of marriage itself and she insisted the petitioner to marry her. The victim on her own left the home and the complaint was lodged as girl missing alone. The petitioner is noway connected with the alleged offence. Due to vengeance, this false case has been foisted against the petitioner. The petitioner is in custody from 16.6.2022 and hence, prays for granting bail.

4. On the other hand, learned CPP submits that this petitioner took the victim to his work place by cheating her and detaining her in a room for 3 days, sexually exploited her under threat. The victim was rescued and recording her statement, the case has been altered into Sec.376 and 506(i) IPC. Investigation is pending and Lab Report is yet to be

received. Earlier petition was dismissed by this court on 12.7.2022 and the Hon'ble High Court has also dismissed the bail petition moved by the petitioner. Thus seriously objects granting bail.

5. It is a case of 376 IPC. Considering the gravity of the offence, the serious allegation raised against the petitioner, the fact that investigation is pending and lab report is yet to be received as reported by learned CPP, this court is not inclined to grant bail to the petitioner at present.

6. Hence, the 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
Wednesday, the 10th day of August, 2022

Crl.M.P.No.13980/2022

in

G.5, Secretariat Colony P.S. Cr.No.214/2022

Rizwana Parveen @ Rajeswari

.. Petitioner/Accused.

Vs.

State Rep. by
The Inspector of Police,
G.5, Secretariat Colony Police Station,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s. Murali Law Firm, R. Saranya, K. Anandharaja, G. Niveditha, V. Vivekanandan, C. Srinivasan, Counsel for the petitioner and of CPP for respondent and upon hearing them, this Court delivered the following :

ORDER

1. Though the petitioner has filed this petition as crime number not known for the offence u/s.397 IPC, during enquiry learned CPP submits that the case has been registered in Cr.No.214/2022 and furnished the FIR Copy. The petitioner, apprehending arrest at the hands of the respondent police, for the alleged offence u/s. 380 IPC in Cr.No.214/2022 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. She is a Yoga Trainer. For the past three months she is giving yoga training to defacto complainant's wife. On the date of occurrence, while she was giving yoga training, she found the gold ornaments in the table and immediately, she had informed the same to her. The petitioner has not committed the theft. She has been giving yoga practice to her students in the defacto complainant's apartment for more than 11 years. The petitioner is very sincere and honest. The petitioner is capable of earning sufficient income from her yoga teaching and

there is no necessity to steal the gold ornaments. The petitioner is noway connected with the alleged offence. She 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 who came to the defacto complainant's house to teach yoga to the wife of the defacto complainant has committed theft of gold chain weighing 18 grams. It is a recent occurrence. Investigation is pending. Property is not yet recovered. Investigation is pending. He seriously objects granting anticipatory bail.

5. The allegation against the petitioner is that the petitioner had committed theft of gold ornaments weighing 18 grams. According to learned CPP, property is not yet recovered and investigation is pending. Considering the nature of offence, the fact that investigation is pending and property is not yet recovered, 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

nmk

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Wednesday, the 10th day of August, 2022**

Crl.M.P.No.14330/2022

in

C.A.No.171/2022

in

C.C.No.280/2016

(on the file of learned Metropolitan Magistrate, FTC-III, Saidapet, Chennai)

Ravi Prabhakar

... Petitioner/Appellant/Accused

Vs.

D. Devi

.... Respondent/Respondent/Complainant

This petition is coming on this day before me for hearing in the presence of M/s. P. Tamilavel, S. Mohan Raj, R. Divya Priya, 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.280/2016 on the file of the learned Metropolitan Magistrate, FTC-III, Saidapet, Chennai. On 6.8.2022, 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 six months and to pay a fine of Rs.5,000/- i/d. to undergo one month S.I. The petitioner/accused was ordered to pay a sum of Rs.18,50,000/- as compensation to the complainant within a period of two months from the date of the judgment, i/d. to undergo S.I. for two months.
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. Fine amount has been paid. The sentence imposed on the petitioner has not been suspended by the trial court and he was remanded to judicial custody.

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 6 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-III, Saidapet, 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 XVIII Additional City Civil Court, Chennai.

10. The appeal stands posted to 1.9.2022.

Delivered by me today in the open Court.

Principal Sessions Judge.

Copy to

1. Learned Metropolitan Magistrate, FTC-III, Saidapet, Chennai.
2. The Superintendent, Central Prison, Puzhal.

IN THE COURT OF SESSIONS AT CHENNAI

Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Wednesday, the 10th day of August, 2022

CrI.M.P.No.14329/2022

in

CrI.R.C.No.133/2022

against

M.P.No.20/2022

in

120/நி.செ.ந & கா.து.ஆ./ப.மா/2022

in

P.6, Kodungaiyur P.S. LIR.No.12/2022 U/s 110 of Cr.P.C.

Karna @ Karunakaran

... Petitioner / Petitioner / Respondent /
Accused

Vs.

1. The Executive Magistrate cum Deputy Commissioner of Police, Pulianthope District.
2. The State represented by
The Inspector of Police,
P.6, Kodungaiyur 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. Jagan, R. Rajkumar, 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.N.20/2022 in 120/நி.செ.ந & கா.து.ஆ./ப.மா/2022 in P.6, Kodungaiyur P.S. LIR.No.12/2022 U/s 110 of Cr.P.C. on the file of the 1st respondent and he was convicted and sentenced to undergo imprisonment for 204 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 204 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 X Metropolitan Magistrate, Chennai.

8. The Revision is made over to XXIII Additional City Civil Court, Chennai.

9. The Revision is posted on 1.9.2022.

Delivered by me today in the open court.

Principal Sessions Judge.

Copy to :

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

nmk