

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Thiru. V. Thangamariappan,
I Additional Sessions Judge
I/C. of Principal Sessions Court
Wednesday, the 13th day of July, 2022**

Crl.M.P.No.11682/2022

in

P.1, Pulianthope P.S. Crime No.421/2022

Srikanth

.. 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. Premkumar, Jayakumar, Counsel for the petitioner and the CPP for respondent, and upon hearing them, this Court delivered the following:

ORDER

1. The petitioner, who was arrested on 24.6.2022 for the offence punishable under Section 448, 395, 411 of IPC in Crime No.421/2022 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that the petitioner is innocent. He is no way connected with the alleged offence. This petitioner's name not mentioned in the FIR. He has been falsely implicated in this case. The petitioner has no bad antecedents. Co-accused was granted bail by this court in Crl.M.P.No.11212/2022 on 5.7.2022. The petitioner is in custody from 24.6.2022 and prays for granting bail.

4. On the other hand, learned CPP submits that this petitioner/A1 along with other accused entered into the construction place, where the defacto complainant is working and robbed four iron rods, motor and also cash Rs.1450/- from the defacto complainant and escaped from the spot. The petitioner is having 2 previous cases. He further submits that cash Rs.900/- has been recovered.

5. The petitioner has been in custody for the past 20 days. The period for taking custodial interrogation is over. According to learned CPP, the petitioner is having 2 previous cases. However, as far as this case is concerned, a sum Rs.900/- has been recovered and co-accused was already enlarged on bail by this court. Considering the above facts and duration of custody, this court is inclined to grant bail to the petitioner subject to condition.

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

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

(b) the petitioner shall appear before the respondent police daily at 10.30 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 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.

Sd./-V. Thangamariappan,
I Additional Sessions Judge
I/c. of Principal Sessions Court

Copy to :

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

nmk

CrI.M.P.No.11682/2022

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Thiru. V. Thangamariappan,
I Additional Sessions Judge
I/C. of Principal Sessions Court
Wednesday, the 13th day of July, 2022**

Crl.M.P.No.11918/2022

in

P.3, Vyasarpadi P.S. Crime No.289/2022

Karthick

.. 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 in the presence of M/s. J. Rajkumar, Counsel for the petitioner and the CPP for respondent, and upon hearing them, this Court delivered the following:

ORDER

1. The petitioner, who was arrested on 28.6.2022 for the offence punishable under Section 328 IPC and Sec. 24(1) of COTP Act 2003 in Crime No.289/2022 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that the petitioner is innocent. This petitioner is a auto driver. The petitioner while dropping the customer, he was arrested in this case. He is no way connected with the alleged offence. He has been falsely implicated in this case. All the property were seized from A1 alone. The petitioner is in custody from 28.6.2022 and prays for granting bail.

4. On the other hand, learned CPP submits that this petitioner along with other accused were found in possession of 114 Kg of banned tobacco products(4 Kg Maava + 110 Kg Seeval betelnut) for sale at the time of search conducted by the respondent police. The accused were arrested and banned tobacco products, Auto used for transporting the tobacco products and cash Rs.4020/- have been seized from the accused. Investigation is

pending. Co-accused is still in custody. Earlier petition was dismissed only on 5.7.2022 and there is no change of circumstances. Hence, he objects the grant of bail.

5. The allegation against the petitioner is that he along with another accused were possessed 114 Kg of banned tobacco products for sale at the time of search conducted by the police. According to learned CPP, investigation is pending. Considering the nature of offence, the seizure of huge quantity of banned tobacco products, the fact that investigation is pending and the objection raised by learned 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.

Sd./-V. Thangamariappan,
I Additional Sessions Judge
I/c. of Principal Sessions Court

nmk

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Thiru. V. Thangamariappan,
I Additional Sessions Judge
I/C. of Principal Sessions Court
Wednesday, the 13th day of July, 2022**

Crl.M.P.No.11920/2022

in

F.2, Egmore P.S. Crime No.236/2022

S. Saran @ Mosas

.. Petitioner/Accused

Vs.

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

..Respondent/Complainant.

The above petition is coming on this day before me for hearing in the presence of M/s. Kamal, D. Sruthi, 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 6.6.2022 for the offence punishable under Section 147, 148, 302 of IPC r/w. 34 IPC in Crime No.236/2022 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. A1 to A4 alone murdered the deceased. The petitioner is noway connected with the murder. As per the FIR, there is no overt act as against this petitioner. The petitioner's two wheeler was used by A1 and A2 and A5's two wheeler was used by A3 and A4. Based on the confession statement of co-accused this petitioner has been falsely implicated in this case. The petitioner is aged 19 years. The petitioner is in custody from 6.6.2022 and prays for granting bail.

4. On the other hand, learned CPP submits that totally 6 accused involved in this case. This petitioner is A6. Due to previous enmity, this petitioner along with other

accused brutally attacked the deceased with knife and murdered him. The petitioner is the named accused and there is specific overt act against the petitioner as per FIR. It is a recent occurrence. Investigation is pending. Co-accused are still in custody. He seriously objects the bail.

5. The petitioner is a named accused. As per FIR averments, the overt act against this petitioner is that he along with other accused brutally attacked the deceased with knife. According to learned CPP investigation is pending. Considering the gravity of offence, the fact that a valuable life has been lost, the specific overt act against the petitioner and the fact that investigation is at initial stage, 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.

Sd./-V. Thangamariappan,
I Additional Sessions Judge
I/c. of Principal Sessions Court

nmk

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Thiru. V. Thangamariappan,
I Additional Sessions Judge
I/C. of Principal Sessions Court
Wednesday, the 13th day of July, 2022**

Crl.M.P.No.11921/2022

in

D.2, Anna Salai P.S. Crime No.124/2022

Aravindhhan

.. Petitioner/Accused.

Vs.

State Rep. by
The Inspector of Police,
D.2, Anna Salai Police Station,
Chennai.

..Respondent/Complainant.

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

ORDER

1. The petitioner, who was arrested on 6.6.2022 for the offence punishable under Section 379 IPC in Crime No.124/2022 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that the petitioner is innocent. He is no way connected with the alleged offence. He has been falsely implicated in this case. He is in custody from 6.6.2022 and prays for granting bail.

4. On the other hand, learned CPP submits that this petitioner has committed theft of defacto complainant's mobile phone, while he was sleeping and ran away from the spot. The mobile phone involved in this case is not yet recovered and the petitioner is having 5 previous cases. Hence, he objects the grant of bail.

5. The petitioner has been in custody for the past 38 days. The period for taking custodial interrogation is over. According to learned CPP, the petitioner is having 5 previous cases. However, 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 II Metropolitan Magistrate, Chennai and on further condition that

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

(b) the petitioner shall appear before the respondent police daily at 10.30 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 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.

Sd./-V. Thangamariappan,
I Additional Sessions Judge
I/c. of Principal Sessions Court

Copy to :

1. The II Metropolitan Magistrate, Chennai.
2. The Superintendent, Central Jail, Puzhal.

nmk

CrI.M.P.No.11921/2022

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Thiru. V. Thangamariappan,
I Additional Sessions Judge
I/C. of Principal Sessions Court
Wednesday, the 13th day of July, 2022**

Crl.M.P.No.11923/2022

in

R.7, K.K.Nagar P.S. Crime No.127/2022

Purushothaman

.. Petitioner/Accused

Vs.

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

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s. J. William Shakesphere, V. Ravi, D. Divya Bharathi, M. Dilipkumar, 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 25.3.2022 for the offence punishable under Section 341, 294(b), 324, 307, 506(ii) of IPC in Crime No.127/2022 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that the petitioner is innocent. He is no way connected with the alleged offence. The petitioner has been falsely implicated in this case on mistaken identity. Injured has been discharged from the hospital. Co-accused was granted bail by this court in Crl.M.P.No.10747/2022 on 29.6.2022. The petitioner has sustained fracture in his hand and he needs proper treatment. Investigation is already completed and charge sheet has been filed. The petitioner is in custody from 25.3.2022 and prays for granting bail.

4. On the other hand, learned CPP submits that on 22.3.2022, at about 10.50 A.M. while the defacto complainant(PSO) was travelling in a car along with his superior officer

(former Justice, Hon'ble High Court of Madras) and when the car came near Wow Momo Restaurant, near Ashok Pillar, the accused including this petitioner came in a motor bike arguing among themselves and blocked the way of the defacto complainant's vehicle and when the defacto complainant came out of the car and questioned the act of the accused, they have attacked the defacto complainant with a knife and due to which he sustained injuries and 8 sutures were made and later got discharged from the hospital. Investigation is completed and charge sheet has been filed in this case and the prosecution is taking steps to conduct speedy trial. However, the petitioner is having 26 previous cases and he cannot claim parity with that of the co-accused and thus seriously objects granting bail.

5. Considering the bad antecedents of the petitioner and the serious objection raised by learned 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.

Sd./-V. Thangamariappan,
I Additional Sessions Judge
I/c. of Principal Sessions Court

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Thiru. V. Thangamariappan,
I Additional Sessions Judge
I/C. of Principal Sessions Court
Wednesday, the 13th day of July, 2022**

Crl.M.P.No.11924/2022

in

H.3, Tondiarpet P.S. Crime No.211/2022

Srinivasan

.. Petitioner/Accused.

Vs.

State Rep. by
The Inspector of Police,
H.3, Tondiarpet Police Station,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s. S. Saravana Kumar, B. Bharath, J.M. Nira Mozhi, Counsel for the petitioner and the CPP for respondent, and upon hearing them, this Court delivered the following:

ORDER

1. The petitioner, who was arrested on 4.7.2022 for the offence punishable under Section 4(1-A), 4(1)(a) of TNP Act 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. He is no way connected with the alleged offence. He has been falsely implicated in this case. He is in custody from 4.7.2022 and prays for granting bail.

4. On the other hand, learned CPP submits that this petitioner/A2 along with another accused were found in possession of 5 litres of illicit arrack for sale without any valid licence. Investigation is pending and lab report is yet to be received. He objects granting bail.

5. The petitioner is in custody for the past 10 days. Property has been recovered and no one was hospitalized due to the consumption of contraband. No bad antecedent is

reported against the petitioner. Considering the above facts and 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 XV Metropolitan Magistrate, Chennai and on further condition that

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

(b) the petitioner shall appear before the respondent police daily at 10.30 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 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.

Sd./-V. Thangamariappan,
I Additional Sessions Judge
I/c. of Principal Sessions Court

Copy to :

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

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CrI.M.P.No.11924/2022

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Thiru. V. Thangamariappan,
I Additional Sessions Judge
I/C. of Principal Sessions Court
Wednesday, the 13th day of July, 2022**

Crl.M.P.No.11925/2022

in

TIW, Anna Square PS., Crime No.202/2022

Santhosh

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
Anna Square Police Station,
TIW East District
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s. S. Swamidoss, Manokaran, R. Ganesh, 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 11.7.2022 for the offences punishable under Section 308, 427 of IPC and Sec. 184, 185 of MV Act and Sec.411 of TN MV Rules 1989 r/w. Sec. 177 of M.V. Act in Crime No.202/2022 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. The petitioner drove his vehicle in a minimum speed. While driving the car, the petitioner has lost his control and dashed against the signal post. It was only an accident. The petitioner is noway connected with the alleged offence. The petitioner is in custody from 11.7.2022 and prays for granting bail.

4. On the other hand, learned CPP submits that this petitioner, under the influence of alcohol drove his Car in a rash and negligent manner and dashed against the Traffic Signal Post and caused damages. He further submits that the damage has been assessed

more than Rs.30,000/-. It is a recent occurrence. Investigation is pending and thus seriously objects granting bail.

5. It is a case of drunken driving. The petitioner under the influence of alcohol drove his Car in a rash and negligent manner and the caused the accident. The Traffic Signal Post got damaged and the damage has been assessed at more than Rs.30,000/-. The petitioner was arrested only on 11.7.2022. According to learned CPP, investigation is pending. Considering the nature of offence, the damage caused to the public property, short duration of custody and pending investigation, 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.

Sd./-V. Thangamariappan,
I Additional Sessions Judge
I/c. of Principal Sessions Court

nmk

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Thiru. V. Thangamariappan,
I Additional Sessions Judge
I/C. of Principal Sessions Court
Wednesday, the 13th day of July, 2022**

Crl.M.P.No.11927/2022

in

N.2, Kasimedu P.S. Crime No.142/2022

Mukesh

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
N.2, Kasimedu Police Station,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s. N. Prabhakaran, K. Sarath 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 7.7.2022 for the offence punishable under Section 341, 294(b), 323, 307 of IPC in Crime No.142/2022 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. As per FIR, the only allegation against the petitioner is that he assaulted the victim with hands. Injured has been discharged from the hospital. The petitioner is in custody from 7.7.2022 and prays for granting bail.

4. On the other hand, learned CPP submits that this petitioner is A3. Due to previous enmity, this petitioner along with other accused waylaid the defacto complainant and attacked him with knife. The victim sustained injury on the head and was treated as

in-patient for 2 days. This petitioner is having 1 previous cases. However, he submits that the injured has been discharged from the hospital.

5. The petitioner is in custody for the past 7 days. According to learned CPP, the injured has been discharged from the hospital and the petitioner is having only one previous case. No serious objection was raised by learned CPP. Considering the fact that injured has been discharged from the hospital 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 XVI Metropolitan Magistrate, Chennai and on further condition that

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

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

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

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

(e) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the 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.

Sd./-V. Thangamariappan,
I Additional Sessions Judge
I/c. of Principal Sessions Court

Copy to :

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

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Thiru. V. Thangamariappan,
I Additional Sessions Judge
I/C. of Principal Sessions Court
Wednesday, the 13th day of July, 2022**

Crl.M.P.No.11928/2022

in

S.C.No.177/2020

(on the file of learned XXI Additional Judge, City Civil Court, Chennai)

in

K.9, Thiru.Vi.Ka.Nagar P.S. Cr.No.1831/2013

Dinesh @ Maatu Dinesh

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
K.9, Thiru.Vi.Ka Nagar Police Station,
Chennai.

..Respondent/Complainant.

The above petition is coming on this day before me for hearing in the presence of M/s. V. Senthil Kumar, M. Nayoom Basha, M. Premkumar, 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 8.6.2022 on execution of NBW for the offence punishable under Section 147, 148, 149, 341, 326, 307 of IPC in S.C.No.177/2020 in Crime No.1831/2013 on the file respondent police seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that due to the absence of the petitioner, NBW was issued against him and the same was executed on 8.6.2022. His absence is neither wilful nor wanton. Hereafter, he will be regular in attending the court. The petitioner is in custody from 8.6.2022 and hence, prays for granting bail.

4. On the other hand, learned CPP submits that NBW was issued on 21.10.2021 and the same was executed on 8.6.2022. The petitioner was absconding for more than 7 months. The case is pending at the stage of appearance of parties. The petitioner is having 5 previous cases. If he is enlarged on bail, he will again abscond and case proceedings would be stalled. He objects granting bail.

5. NBW was issued on 21.10.2021 and the same was executed on 8.6.2022. Since then, the petitioner is in custody for the past 36 days. The case is pending for appearance of the parties. Considering the stage of the case and duration of custody, this court is inclined to grant bail to the petitioner.

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 XXI Additional Judge, City Civil Court, Chennai and on further condition that

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

(b) the petitioner shall appear before the said Court daily at 10.30 a.m. until further orders.

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

(d) the petitioner shall not abscond during trial.

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

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

Delivered by me today in the open Court.

Sd./-V. Thangamariappan,
I Additional Sessions Judge
I/c. of Principal Sessions Court

Copy to :

1. Learned XXI Additional Judge, City Civil Court, Chennai.
2. The Superintendent, Central Prison, Puzhal.

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Thiru. V. Thangamariappan,
I Additional Sessions Judge
I/C. of Principal Sessions Court
Wednesday, the 13th day of July, 2022**

Crl.M.P.No.11930/2022

in

G.5, Secretariat Colony P.S. Crime No.177/2022

Srinath

.. 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. S.K. Masthan, T. Ramesh Kumar, Counsel for the petitioner and the CPP for respondent, and upon hearing them, this Court delivered the following:

ORDER

1. The petitioner, who was arrested on 27.6.2022 for the offence punishable under Section 379, 511 of IPC in Crime No.177/2022 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. In fact, the petitioner and others who came in a two wheeler dashed against the defacto complainant's two wheeler and there occurred wordy quarrel. An exaggerated and false complaint has been given. The petitioner is no way connected with the alleged offence. He has been falsely implicated in this case. The petitioner has no bad antecedents. The petitioner is in custody from 27.6.2022 and prays for granting bail.

4. On the other hand, learned CPP submits that this petitioner/A2 along with other accused tried to snatch the defacto complainant's mobile phone. However, he submits that the petitioner has no previous case.

5. The petitioner has been in custody for the past 17 days. The period for taking custodial interrogation is over. It is only an attempt and no property has been stolen. Further, the petitioner has no previous case as reported by learned CPP. Considering the nature of case, the fact that the petitioner has no previous case and 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 II Metropolitan Magistrate, Chennai and on further condition that

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

(b) the petitioner shall appear before the respondent police daily at 10.30 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 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.

Sd./-V. Thangamariappan,
I Additional Sessions Judge
I/c. of Principal Sessions Court

Copy to :

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

nmk

Crl.M.P.No.11930/2022

IN THE COURT OF SESSIONS AT CHENNAI

Present: Thiru.V.Thangamariappan.

II Additional Sessions Judge

Incharge of Principal Sessions Court

Wednesday, the 13th day of July, 2022.

Crl.M.P.No.11811/2022

in

W-16, A.W. P.S. Crime No.10/2022

Bharathi

.. Petitioner/Accused

Vs.

State Rep. by

The Inspector of Police,

W-16, All Women Police Station,

Pulianthope,

Chennai.

..Respondent/Complainant.

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

ORDER

1. The petitioner, who apprehends arrest by the respondent police for the alleged offences punishable u/s 294(b), 498(A) and 506(ii) of IPC in Crime No.10/2022 on the file of the respondent police, seeks anticipatory bail.

2. The learned counsel for the petitioner submits that the petitioner's son Bharathkanna and the defacto complainant Ashvini @ Preethi married on 8.11.2022. After marriage, the petitioner, her son, her daughter and the defacto complainant were living in the same house. On 21.2.2022, the defacto complainant's father took the defacto complainant on the guise of attending a marriage of a relative at Chengalpet and thereafter, she did not return to the matrimonial home. Thereafter, she demanded to set up a separate house, which was refused by the son of the petitioner. The police threatened the son of the petitioner to pay a sum of Rs.2 lakhs to the defacto complainant, failing which, they will foist a case against him. The petitioner's son gave representation to the higher police officials and also Human Rights Commission. In the meanwhile, the present case has been registered against the petitioner and her son. When the son of the petitioner was arrested and produced before the Magistrate, the Magistrate refused to remand him and directed to produce sureties. Based on the said order, the petitioner's son executed sureties and he was released on bail. Since the demand of the defacto complainant to set up a separate house

was refused, the present complaint has been lodged. The petitioner apprehends arrest at the hands of the respondent police. Hence, she may be granted anticipatory bail.

3. On the other hand, the learned CPP submits that the marriage between the petitioner's son / A1 and defacto complainant was solemnized on 8.11.2021. After marriage, A1 used to abuse the defacto complainant and her family members under the influence of alcohol. When the defacto complainant questioned him, he assaulted her. The petitioner and her son demanded Rs.5 lakhs and 10 sovereign gold jewels and other household articles. However, the defacto complainant's family members were able to give only Rs.2 lakhs and 4 sovereign gold jewels and sreethana articles. Hence, the petitioner and her son abused the defacto complainant and gave physical and mental torture.

4. The petitioner is the mother-in-law of the defacto complainant. The marriage between the defacto complainant and the son of the petitioner was held on 8.11.2021. It is alleged that the petitioner and her son demanded more dowry from the defacto complainant and tortured her. A1 was arrested and released on bail by the Magistrate. The petitioner is the mother of A1. She is ready to co-operate for the investigation. It is a case of matrimonial dispute. Considering the nature of case, this court is inclined to grant anticipatory bail.

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

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

[b] the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

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

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

Delivered by me today in open court.

Sd/-V.Thangamariappan.
II Additional Sessions Judge.
Principal Sessions Judge(I/c)

Copies to:

1. The Metropolitan Magistrate,
Additional Mahila Court, Chennai.
2. CPP, Chennai.
3. The Inspector of Police, W-16, All Women Police Station,
Pulianthope, Chennai.

SS

Crl.M.P.No.11811/2022

IN THE COURT OF SESSIONS AT CHENNAI

Present: Thiru.V.Thangamariappan.

II Additional Sessions Judge

Incharge of Principal Sessions Court

Wednesday, the 13th day of July, 2022.

CrI.M.P.No.11813/2022

in

CrI.M.P.No.8044/2022

in

Crime No.249/2022

Manikandan @ Madurai Mani

.. 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.M.Mohamed Nazar and S.Jeeva, Counsel for the petitioner and of CPP for respondent and upon hearing both sides, this Court delivered the following,

ORDER

1. The petitioner seeks relaxation of the condition imposed by this court in CrI.M.P.No.8044/2022, dt: 1.6.2022.
2. The petitioner was granted bail by this court in CrI.M.P.No.8044/2022, dated 1.6.2022 with condition to appear before the respondent police daily at 10.30 a.m. until further orders.
3. Learned CPP submits that the petitioner has complied the condition for 35 days.
4. The petitioner has complied the condition for 35 days. Considering the nature of case and the number of days complied, this court is inclined to relax the condition.
5. (i) Petition is allowed.
(ii) Condition is relaxed in toto.

Delivered by me today in open court.

Sd/-V.Thangamariappan.
II Additional Sessions Judge.
Principal Sessions Judge(I/c)

IN THE COURT OF SESSIONS AT CHENNAI

Present: Thiru.V.Thangamariappan.

II Additional Sessions Judge

Incharge of Principal Sessions Court

Wednesday, the 13th day of July, 2022

Crl.M.P.No.11937/2022

in

C.A.No.123/2022

in

C.C.No.1648/2017

(on the file of the VIII Metropolitan Magistrate, George Town, Chennai)

Suresh Kumar,
No.56, B-Block, Vallalar Street,
MMDA Colony,
Arumbakkam, Chennai-106.

....Petitioner/Appellant/Accused

Vs.

Aashish Jain,
Rep. by his Power of Attorney,
Jithendra Kumar,
No.81/1, Narayana Mudali Street,
Chennai-600079.

.... Respondent/Respondent/Complainant

This petition is coming on this day before me for hearing in the presence of M/s.K.N.Nataraj, G.Anandhi and S.Naveenkumar, Counsel for the petitioner, upon hearing the counsel for the petitioners, this Court delivered the following,

ORDER

1. The petitioner seeks suspension of sentence pending disposal of the appeal.

2. The Petitioner / Appellant herein is the accused in C.C.No.1648/2017 on the file of the learned VIII Metropolitan Magistrate, George Town, Chennai. On 14.6.2022 judgment was pronounced in the above case and the petitioner was found guilty u/s.138 of N.I. Act and sentenced to undergo six months simple imprisonment and the petitioner was directed to pay compensation of Rs.90,00,000/- to the complainant within 3 months, in default, to undergo 6 months S.I.

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

4. This court has also perused the memorandum of appeal and the submission made by the petitioner's counsel. The trial court suspended the sentence till 13.7.2022.

5. 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 a period of six 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.

6. 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.

7. 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 VIII Metropolitan Magistrate, 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.

8. The appeal has been made over to II Additional Sessions Court, Chennai.

9. The appeal stands posted to 25.7.2022.

Delivered by me today in open court.

Sd/-V.Thangamariappan.
II Additional Sessions Judge.
Principal Sessions Judge(I/c)

Copy to

The VIII Metropolitan Magistrate, George Town, Chennai.