

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
I Additional Sessions Judge
I/c of Principal Sessions Court
Thursday, the 15th day of July 2021**

Crl.M.P.No. 11245/2021

in

R-5Virugambakkam P.S. Crime No. 575/2021

1. R. Selvakumar
2. Abdul Rafiq

.. Petitioners/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, upon hearing M/s. N. Senthilkumar, R. Girija, Counsel for the petitioners and of CPP for the respondent, this Court delivered the following

ORDER

1. The 1st petitioner, who was arrested on 16.6.2021 and the 2nd petitioner was arrested on 18.6.2021 for the offence punishable under Section 397 IPC in Crime No. 575/2021 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. They are aged 20 years. They are no way connected with the offence. False case has been foisted on them only for statistical purpose. The petitioners are in custody for the past 17 days and prays for granting bail.

4. On the other hand, the learned CPP submits that these petitioners along with other accused waylaid the defacto complainant and robbed Rs.500/- and a cell phone from him at knife point. According to him the 1st petitioner is having 2 previous cases and the 2nd petitioner is having one previous case and objects the granting of bail.

5. It is reported by the CPP that the property involved in this case has been recovered. The petitioners are in custody for the past 17 days. Period for taking custodial interrogation is over. Major portion of investigation might have been completed by this

time. Considering the above facts, age of the petitioners and the duration of custody, this court is inclined to grant bail to the petitioners subject to condition.

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

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

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

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

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

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

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

Delivered by me today.

Sd/- S. Alli,
I Additional Sessions Judge
I/c Principal Sessions Court

Copy to :

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

vv

CrI.M.P.No. 11245/2021

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
I Additional Sessions Judge
I/c of Principal Sessions Court**

Thursday, the 15th day of July 2021

Cr.L.M.P.No. 11441/2021

in

K-7 ICF P.S. Crime No. 91/2021

Rajkumar

.. Petitioner/Accused.

Vs.

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

..Respondent/Complainant

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

ORDER

1. The petitioner, who was arrested on 5.6.2021 for the offence punishable under Section 454 and 380 IPC in Crime No. 91/2021 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. He has not committed any offence as alleged by the prosecution. Only based on the confession statement, he has been implicated in this case. Nothing has been recovered from this petitioner. The petitioner is in custody for the past one month and prays for granting bail.
4. On the other hand, the learned CPP submits that this petitioner/A1 along with three other accused break open the defacto complainant's house and stolen away 6 sovereigns of gold jewels, 1 Laptop, one LED TV and cash Rs.55,000/-. According to him only 6 grams of gold and one Laptop only recovered. Remaining portion of property not yet recovered and objects the granting of bail.
5. No previous case is reported as against the petitioner. He is in custody for more than a month. Properties partly recovered. Period for taking custodial interrogation is over.

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 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 V Metropolitan Magistrate, Chennai and on further condition that

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

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

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

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

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

Sd/- S. Alli,
I Additional Sessions Judge
I/c Principal Sessions Court

Copy to :

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

vv

Cri.M.P.No. 11441/2021

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
I Additional Sessions Judge
I/c of Principal Sessions Court
Thursday, the 15th day of July 2021**

Crl.M.P.No. 11525/2021

in

D-3 Ice House P.S. Crime No. 343/2021

Prasad

.. Petitioner/Accused.

Vs.

State Rep. by
The Inspector of Police,
D-3 Ice House Police Station,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing, upon hearing M/s. C. Vimal Kumar, S. Devan, K. Ganesan, Counsel for the petitioner and of CPP for respondent, this Court delivered the following :

ORDER

1. The petitioner, who was arrested on 3.7.2021 for the offence punishable under Section 294(b), 452, 307 and 506(ii) IPC in Crime No. 343/2021 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 due to sudden provocation, this petitioner attacked the complainant. There is no motive for the attack. Victim was discharged from the hospital on the same day. This petitioner's wife is on advanced stage of pregnancy and her delivery due date is fixed on 21.7.2021. The Doctor orally instructed her to get admission in hospital before one week. Except, this petitioner, no one has to take care of her. This petitioner is in custody from 3.7.2021 and prays for granting bail.

4. On the other hand, learned CPP submits that due to previous enmity between this petitioner and the defacto complainant, this petitioner along with other accused trespassed into the defacto complainant's house at midnight 2.30 p.m. and attacked him with knife. Due to which, the complainant sustained cut injury on his neck, shoulder, left

hand fingers and back side and admitted to hospital for treatment. However, according to CPP, injured was discharged from the hospital.

5. According to CPP, injured was discharged from the hospital. No previous case is reported as against the petitioner. On perusal of the medical records submitted by the counsel for the petitioner, the petitioner's wife is now at advanced stage of pregnancy and her delivery due date is fixed on 21.7.2021. The petitioner is in custody for the past 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 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.

Sd/- S. Alli,
I Additional Sessions Judge
I/c Principal Sessions Court

Copy to :

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

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IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
I Additional Sessions Judge
I/c of Principal Sessions Court
Thursday, the 15th day of July 2021**

Crl.M.P.No. 11568/2021

in

P-1 Pulianthope P.S. Crime No. 832/2021

1. Gokulakrishnan (Gokul)
2. Vignesh (Vicky)

.. Petitioners/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, upon hearing M/s. M. Deivanandam, K. Prasanthan, Counsel for the petitioners and of CPP for respondent, this Court delivered the following :

ORDER

1. The petitioners, who were arrested on 29.6.2021 for the offence punishable under Section 294(b), 324, 307 and 506(ii) IPC in Crime No. 832/2021 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. These petitioners were not present at the scene of occurrence. They have been wrongly implicated in this case. They are daily wage earners. The petitioners have no bad antecedents. Injured was discharged from the hospital. The petitioners are in custody from 29.6.2021 and prays for granting bail.

4. On the other hand, learned CPP submits that it is a retaliation attack. On 28.6.2021, quarrel arose between the petitioners and the defacto complainant which ended in assault. For which, these petitioners pre-planned to attack the defacto complainant. The complainant sustained injury and he was admitted in hospital for 3 days as inpatient.

5. However, according to CPP, injured was discharged from the hospital and he has no serious objection. No previous case is reported as against the petitioner. The petitioners are 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 petitioners subject to condition.

6. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties each for a likesum to the satisfaction of 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 petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders.

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

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

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

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

Delivered by me today.

Sd/- S. Alli,
I Additional Sessions Judge
I/c Principal Sessions Court

Copy to :

1. The X Metropolitan Magistrate, Chennai.
2. Superintendent, Sub-Jail, Ponneri.

vv

CrI.M.P.No. 11568/2021

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
I Additional Sessions Judge
I/c of Principal Sessions Court
Thursday, the 15th day of July 2021**

Crl.M.P.No. 11569/2021

in

F-5 Choolaimedu P.S. Crime No. 542/2021

R. Tamil Selvan

.. 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, upon hearing M/s. J. Subbiah, Arasakumar, K.M. Mohamed Ziauddin, Counsel for the petitioner and of CPP for respondent, this Court delivered the following :

ORDER

1. The petitioner, who was arrested on 21.6.2021 for the offences punishable under Section 341, 364, 365 and 506(i) of IPC in Crime No.542/2021 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 the friend of one Varun, who had love affair with one Dilshith Begam. The family refused to marry her to the said Varun. In pursuance of that, there was a panchayat, in which the petitioner participated. Nothing more than that had happened. However, a false case has been registered against the petitioner and others. He has been arrested on 21.6.2021 and prays for bail.
4. On the other hand, the learned CPP submits that the defacto complainant's son Thaslim Basha is the cousin of Dilshith Begam. The mother of Dilshith Begam refused to marry her to the said Varun, since he refused to convert into Muslim. Thereafter, marriage was arranged to Dilshith Begam with another person by Towfiq. Being aggrieved at, the said Varun along with the petitioner and others kidnapped the defacto complainant's son Thaslim Basha in order to coerce their family to send Dilshith Begam to Varun. They have

kidnapped the defacto complainant's son in a Fortuner Car from Anna Nagar and taken him to a remote place near Chengalpet and there, he was assaulted and threatened. He further submits that this petitioner's earlier bail application was dismissed on 29.6.2021 and there is no change in circumstance and thus he seriously objects granting bail.

5. On perusal of the FIR, it appears that the defacto complainant's son was kidnapped in order to pressurise the family members of Dilshith Begam to marry Varun, with whom she had lover affair. Further, it would go to show the involvement of Toyota Fortuner car in the kidnap. According to CPP there are CCTV footage to show the forcible kidnapping of the defacto complainant's son through that car. No change in circumstance was brought to the notice of this court after the dismissal of earlier bail application. In view of the evidence available by CCTV footage and nature of case, this court is not inclined to grant bail at present.

6. Petition is dismissed.

Delivered by me today.

Sd/- S. Alli,
I Additional Sessions Judge
I/c Principal Sessions Court

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
I Additional Sessions Judge
I/c of Principal Sessions Court
Thursday, the 15th day of July 2021**

Crl.M.P.No. 11576/2021

in

K-9 Thiru-Vi-Ka Nagar P.S. Crime No. 648/2021

1. Hidayathullah
2. Batcha @ Ansar Basha
3. Karthick
4. Pandiaraj

.. Petitioners/Accused.

Vs.

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

..Respondent/Complainant.

This petition is coming on this day before me for hearing, upon hearing M/s. S. Mohamed Ansar, A.M.M. Umar Mukthar, R. Raj Prabhu, B.M. Santharam, Counsel for the petitioners and of CPP for respondent, this Court delivered the following :

ORDER

1. The petitioners, who were arrested on 13.7.2021 for the offences punishable under Section 294(b), 323, 364A, 384 and 506(i) IPC in Crime No. 648/2021 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 no way connected with the alleged offence. The allegation against the petitioners is that due to money transaction dispute in selling land, they kidnapped the defacto complainant in their car and brutally attacked him and they had taken money from his bank account through ATM Card and grabbed his mobile phone. No such occurrence had happened as narrated in the FIR. Occurrence took place on 10.7.2021. But, the complaint was lodged after two days which itself go to show the falsity of the case. There is no specific overt act as against the petitioners. They are in custody from 13.7.2021 and prays for granting bail.

4. On the other hand, the learned CPP submits that the defacto complainant and the petitioners are land brokers. The defacto complainant is agent for one Sudhakar. These

petitioners are agent for one Thamim Ansari. The defacto complainant received Rs.11,50,000/- from the petitioners to sell a land from Sudhakar to Thamim Ansari. But, he failed to sell the land and wantonly made delay to return the money. Therefore, wordy quarrel arose between the Vendor Sudhakar and purchaser Thamim Ansari. In continuation of that, on 10.7.2021, these petitioners kidnapped the defacto complainant in their Car and brutally attacked him and they had taken money from his bank account through ATM card, grabbed his mobile phone and also gave life threat to him. The arrest of the petitioners is very recent one. Investigation is at an early stage. If the petitioners are released on bail, they will tamper the witnesses. Hence, he objects the grant of bail.

5. On perusal of the FIR, it appears that there was money dispute between the petitioners and the defacto complainant over selling of land. Since there was delay in selling the land and non repayment of money, these petitioners kidnapped the defacto complainant in their Car bearing registration No. TN 14 M 3772 and attacked him using wooden log. Further, the accused taken away the complainant's ATM Card and withdrew cash Rs.12,000/- from his bank account by getting PIN number using force and also demanded Rs.15 lakhs by pledging his house. The petitioners were arrested only on 13.7.2021. Investigation is at preliminary stage. Considering the gravity of offence, stage of the investigation and the objection made by the CPP, this court is not inclined to grant bail to the petitioners at present.

6. Petition is dismissed.

Delivered by me today.

Sd/- S. Alli,
I Additional Sessions Judge
I/c Principal Sessions Court

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
I Additional Sessions Judge
I/c of Principal Sessions Court
Thursday, the 15th day of July 2021**

Crl.M.P.No. 11577/2021

in

G-5 Secretariat Colony P.S. Crime No. 146/2021

Ajay @ Ajaykumar

.. 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, upon hearing M/s. R.Muthukumar, R.Lingakumar and D.Jaisankar, Counsel for the petitioner and of CPP for the respondent, this Court delivered the following

ORDER

1. The petitioner, who was arrested on 22.6.2021 for the offences punishable under Section 341, 294(b), 324 and 307 of IPC in Crime No.146/2021 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 and he has not committed any offence as alleged. He is aged 19 years. Injured has been discharged from the hospital. Investigation is almost over. The petitioner is in custody from 22.6.2021 and prays for granting bail.

4. On the other hand, the learned CPP submits that due to enmity over the murder of one Madan, this petitioner along with other accused assaulted the defacto complainant with knife and caused injuries on his leg and head. The injured was admitted in the hospital and he had taken 15 days treatment as inpatient and thus, he strongly opposed the petition.

5. However, according to CPP, now, injured was discharged from the hospital. The petitioner is in custody for more than three weeks. Major portion of investigation might have been completed by this time. Considering the age of the petitioner, the fact

that injured was discharged from the hospital and 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 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.

Sd/- S. Alli,
I Additional Sessions Judge
I/c Principal Sessions Court

Copy to :

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

vv

Crl.M.P.No. 11577/2021

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
I Additional Sessions Judge
I/c of Principal Sessions Court
Thursday, the 15th day of July 2021**

Crl.M.P.No. 11580/2021

in

K-1 Sembium P.S. Crime No. 961/2021

Saravanan

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
K-1 Sembium Police Station,
Chennai.

..Respondent/Complainant

This petition is coming on this day before me for hearing, upon hearing M/s. B. Kalaiarasan, D. Percivul Pericles, S.M. Raghuram, R. Surendar Kumar, Counsel for the petitioner and of CPP for the respondent, this Court delivered the following

ORDER

1. The petitioner, who was arrested on 9.7.2021 for the offences punishable under Section 341, 294(b), 336,392, 397 and 506(ii) IPC in Crime No. 961/2021 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 and he has not committed any offence as alleged. Since the petitioner is having one murder case, this case has been foisted on him only for statistical purpose. The petitioner is in custody from 9.7.2021 and prays for granting bail.
4. On the other hand, the learned CPP submits that this petitioner along with other accused waylaid the defacto complainant and robbed Rs.700/- from him at knife point. He further submits that this petitioner is having one murder case in K1 Sembium P.S. Crime No. 306/2015. This petitioner was arrested only on 9.7.2021. Investigation is at an early stage. Hence, he objects the grant of bail.

5. It is a case of robbery. He was arrested only on 9.7.2021. The petitioner is having one murder case and the same is now pending for examination of I.O. Considering the nature of offence said to have been committed by the accused, short duration of custody and that investigation is at preliminary stage, this court is not inclined to grant bail to the petitioner at present.

6. Petition is dismissed.

Delivered by me today.

Sd/- S. Ali,
I Additional Sessions Judge
I/c Principal Sessions Court

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
I Additional Sessions Judge
I/c of Principal Sessions Court**

Thursday, the 15th day of July, 2021

Crl.M.P.Nos.11570, 11571, 11572 and 11573/2021

in

F-2, Egmore P.S. Crime No.522/2021

Killivalavan	.. Petitioner/Accused in Crl.M.P.No. 11570/2021
Sudharsan	.. Petitioner/Accused in Crl.M.P.No.11571/2021
T. Kumar	.. Petitioner/Accused in Crl.M.P.No.11572/2021
Ramamoorthi	.. Petitioner/Accused in Crl.M.P.No.11573/2021

Vs.

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

..Respondent/Complainant
in all the petitions

The above petitions are coming on this day before me for hearing, upon hearing M/s. S. Deepika, D. Suresh, P. Selvam, Counsel for the petitioners in all the petitions and of CPP for respondent, this Court delivered the following

COMMON ORDER

1. The petitioners, who were arrested on 7.7.2021 for the offences punishable under Section 147 and 364 of IPC in Crime No.522/2021 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 in all the petitions submits that the petitioners are innocent and they have been falsely implicated in this case. They are no way connected

with the alleged offence. The allegation against the petitioners is that they involved in an abduction of one Raja, Auditor, Vadapalani. Co-accused (A5 and A6) were granted bail by this court in CrI.M.P.Nos.11442 and 11523/2021. In fact, the petitioners and others were cheated by Raja, S/o.Kulandaisamy, claiming himself as an Auditor. He has cheated number of persons under the guise of getting Government employment. When the cheated persons came to Chennai to collect the money from him, they have been falsely implicated in the criminal case. They are in custody from 7.7.2021 and prays for bail. He also submitted that for the offence of cheating, a case in Cr.No.524/2021 was registered against the present defacto complainant's owner.

4. According to CPP, the petitioner Ramamoorthi in CrI.M.P.No.11573/2021 is a victim who had given amount to said Raja for getting Government job. The other petitioners viz., Killivalavan, Sudharsan, and T. Kumar are not victim. They accompanied with Ramamoorthy for kidnapping the said Raja.

5. On perusal of the records, the occurrence took place at Kennet Lane, Egmore in front of Lakshmi Mohan Lodge. As per the prosecution case, when the so called Raja came along with defacto complainant, the petitioner Ramamoorthi questioned him in connection with the employment assured and he expressed his difficulty in returning the money immediately. Being aggrieved, they have taken the said Raja in a car and kidnapped him to Virudachalam and there, they threatened the said Raja to repay the money received by him. Meanwhile, there were frequent phone calls to the police. The accused have returned to Egmore for surrendering him before the police. Meanwhile, the petitioners and others were arrested by the respondent police with the said victim Raja.

5. Admittedly, the petitioner Ramamoorthi is a victim of cheating by Raja. There may be some excess on the part of him. However, there is no kidnapping for ransom. On the other hand, it is a kidnap for getting back his money cheated by the Raja. Chances for absconding is less. No amount has been extracted. Whereas, the other accused viz., Killivalavan, Sudharsan, and T. Kumar are concerned, they are not victims of cheating. They are said to have abducted the Raja in a Tavera Car and therefore, they cannot be considered as victims. They are hooligans and no way connected with the alleged cheating. Considering the nature of offence, role played by the petitioners Killivalavan, Sudharsan, and T. Kumar and investigation is at preliminary stage, this court is not inclined to grant bail

to them at present. As far as the petitioner Ramamorthi is concerned, he is in custody for more than one week. Similarly placed co-accused were granted bail by this court on 13.7.2021 and 14.7.2021 in Crl.M.P.Nos.11442 and 11523/2021. Under such circumstances, considering the factual events of this case and the alleged victim of cheating, this court is inclined to grant bail to the petitioner Ramamoorthi alone subject to the following conditions.

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

(a) the sureties shall affix their photograph 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 Ramamoorthi shall appear before the respondent police daily at 10.30 a.m. until further orders.

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

(d) the petitioner Ramamoorthi 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 Ramamoorthi in accordance with law as if the conditions have been imposed and the petitioner Ramamoorthi 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 Ramamoorthi thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

(g) As far as the petitioners Killivalavan, Sudharsan and T.Kumar are concerned, this petition is dismissed.

Delivered by me today.

Sd/- S. Alli,
I Additional Sessions Judge
I/c of Principal Sessions Court

Copies to :

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

vv

Crl.M.P.No. 11573/2021-bail granted

Crl.M.P.Nos.11570, 11571 and 11572/2021 - petitions dismissed.

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt.S.Alli, M.L.,
I Additional Sessions Judge /
Principal Sessions Judge (I/c)
Thursday, the 15th day of July, 2021.**

Crl.M.P.No.11544/2021

in

R-6, Kumaran Nagar P.S. Crime No.396/2021

Girija

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
R-6, Kumaran Nagar 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.A.Thirumaran and K.Purushothaman and CPP for respondent, 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), 324 and 506(i) of IPC in Crime No.396/2021 on the file of the respondent police, seeks anticipatory bail.

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

3. Learned counsel for the petitioner submits that the petitioner is the landlord and defacto complainant is the tenant. The defacto complainant was running illegal gamin house and illegal bar in the rented premises. When the same was questioned by the petitioner, the defacto complainant abused her. The defacto complainant was called to the police station and warned. Thereafter, it seems that there was quarrel between the defacto complainant and the watchman of the building. The petitioner has nothing to do with the said quarrel. She is living in Mambalam and the occurrence place is at Jafferkhanpet. However, the defacto complainant wantonly implicated the petitioner in the complaint. The petitioner is innocent. She apprehends arrest at the hands of the respondent police and thus, prays for granting anticipatory bail.

4. On the other hand, the learned CPP submits that there was dispute between the petitioner and defacto complainant over vacating the premises. On the occurrence day, at the instigation of the petitioner, the watchman of the premises picked up quarrel with the

defacto complainant and assaulted him with wooden log. The injured has been treated as outpatient.

5. Dispute between landlord and tenant. It is reported by the CPP that the injured has been treated as outpatient. Except 506(i) IPC, other offences are bailable. Considering the above circumstances, this court is inclined to grant anticipatory bail.

6. 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 receipt of a copy of this order, before the XXIII Metropolitan Magistrate, Chennai on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a likesum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that

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

[b] the petitioner shall appear before the respondent police daily at 10.30 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/- S. Alli,
I Additional Sessions Judge /
(I/c) Principal Sessions Judge

Copies to:

1. The XXIII Metropolitan Magistrate, Chennai.
2. CPP, Chennai.
3. The Inspector of Police, R-6, Kumaran Nagar Police Station, Chennai.

SS

CrI.M.P.No.11544/2021

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt.S.Alli, M.L.,
I Additional Sessions Judge /
Principal Sessions Judge (I/c)
Thursday, the 15th day of July, 2021.**

Crl.M.P.No.11547/2021

in

B-2, Esplanade P.S. Crime No.697/2021

Syed

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
B-2, Esplanade 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.R.Dhanasekar, G.Kalaivani and S.Sumitha and CPP for respondent, this Court delivered the following :

ORDER

1. The petitioner, who apprehends arrest by the respondent police for the alleged offences punishable u/s 379, 511 and 506(i) of IPC in Crime No.697/2021 on the file of the respondent police, seeks anticipatory bail.

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

3. Learned counsel for the petitioner submits that the petitioner is innocent and he has not committed any offence as alleged. Since the arrested accused is the friend of this accused, who was in possession of the petitioner's mobile phone, the police have implicated the petitioner in this case through his confession. In fact, he was not at all present at the scene and his name was not mentioned in the F.I.R. The petitioner apprehends arrest at the hands of the respondent police and thus, prays for granting anticipatory bail.

4. On the other hand, the learned CPP submits that the petitioner and other accused tried to commit theft of car belonging to defacto complainant. When the defacto complainant questioned them, they threatened him with dire consequences.

5. It is a case of attempt to steal the car. No serious objection from the CPP. Considering the nature of offence said to have committed, this court is inclined to grant anticipatory bail.

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 VII Metropolitan Magistrate, Chennai on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a likesum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that

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

[b] the petitioner shall appear before the respondent police daily at 10.30 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/- S. Alli,
I Additional Sessions Judge /
(I/c) Principal Sessions Judge

Copies to:

1. The VII Metropolitan Magistrate, Chennai.
2. CPP, Chennai.
3. The Inspector of Police, B-2, Esplanade Police Station, Chennai.

SS

Crl.M.P.No.11547/2021

IN THE COURT OF SESSIONS AT CHENNAI

Present: Tmt.S.Alli, M.L.,

I Additional Sessions Judge /

Principal Sessions Judge (I/c)

Thursday, the 15th day of July, 2021.

Crl.M.P.No.11542/2021

in

Crl.M.P.No.7536/2021

in

Crime No.3/2021

K.Rajesh

.. 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, upon hearing the counsel for the petitioner M/s.R.C.Paul Kanagaraj, R.Nathiya Srinivasan and R.M.Vigneshwaran and CPP for respondent, this Court delivered the following :

ORDER

1. The petitioner seeks relaxation of the condition imposed by this court in Crl.M.P.No.7536/2021, dt: 19.4.2021.
2. The counsel for the petitioner and CPP were heard through Video Conference.
3. The petitioner was granted bail by this court in Crl.M.P.No.7536/2021, dated 19.4.2021 for the alleged offences u/s 436 of IPC @ 147, 148, 436 r/w 120-B of IPC with condition to appear before the respondent police daily at 10.30 a.m. until further orders.
4. Learned CPP submits that the petitioner has complied the condition from 22.4.2021 to 13.7.2021.
5. The petitioner has complied the condition for 83 days. Considering the nature of case and the number of days complied, this court is inclined to relax the condition.
6. (i) Petition is allowed.
(ii) Condition is relaxed in toto.

Delivered by me today.

Sd/- S. Alli,

**I Additional Sessions Judge /
(I/c) Principal Sessions Judge**

IN THE COURT OF SESSIONS AT CHENNAI

Present: Tmt.S.Alli, M.L.,

I Additional Sessions Judge /

Principal Sessions Judge (I/c)

Thursday, the 15th day of July, 2021.

Crl.M.P.No.11543/2021

in

Crl.M.P.No.7537/2021

in

Crime No.3/2021

D.Anand

.. 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, upon hearing the counsel for the petitioner M/s.R.C.Paul Kanagaraj, R.Nathiya Srinivasan and R.M.Vigneshwaran and CPP for respondent, this Court delivered the following :

ORDER

1. The petitioner seeks relaxation of the condition imposed by this court in Crl.M.P.No.7537/2021, dt: 19.4.2021.
2. The counsel for the petitioner and CPP were heard through Video Conference.
3. The petitioner was granted bail by this court in Crl.M.P.No.7537/2021, dated 19.4.2021 for the alleged offences u/s 436 of IPC @ 147, 148, 436 r/w 120-B of IPC with condition to appear before the respondent police daily at 10.30 a.m. until further orders.
4. Learned CPP submits that the petitioner has complied the condition from 22.4.2021 to 13.7.2021.
5. The petitioner has complied the condition for 83 days. Considering the nature of case and the number of days complied, this court is inclined to relax the condition.
6. (i) Petition is allowed.
(ii) Condition is relaxed in toto.

Delivered by me today.

Sd/- S. Alli,

**I Additional Sessions Judge /
(I/c) Principal Sessions Judge**

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt.S.Alli, M.L.,
I Additional Sessions Judge /
Principal Sessions Judge (I/c)
Thursday, the 15th day of July, 2021.**

Crl.M.P.No.11540/2021

in

Crl.M.P.No.8372/2021

in

C.A.No.98/2021

in

C.C.No.5203/2011

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

Mohideen Sayed Ibrahim

...Petitioner/Appellant/Accused A3

Vs.

A & A International Trading Pvt. Ltd.,
No.6-5/140, Kaviyarasu Kannadasan Nagar,
Kodungaiyur, Chennai-118,
Rep. by Saikumar

.... Respondent/Respondent/Complainant

This petition is coming on this day before me for hearing in the presence of M/s.T.K.Ravi Kumar, Counsel for the Petitioner / Appellant / Accused and upon hearing petitioners' side argument, this Court delivered the following,

ORDER

1. Petitioner seeks extension of time granted in Crl.M.P.No.8372/2021, dated 23.4.2021.
2. The counsel for the petitioner and CPP were heard through Video Conference.
3. As per the order passed in Crl.M.P.No.8372/2021, dated 23.4.2021 this court suspended the sentence imposed on the petitioner on condition that the petitioner shall execute a bond for Rs.10,000/- with two sureties each for a likesum to the satisfaction of the learned Metropolitan Magistrate, FTC-I, Egmore, Chennai and also directed to deposit 20% of the cheque amount to the credit of C.C. number on the file of the Trial Court within sixty days from the date of the order.
4. Learned counsel for the petitioner submits that the order was passed on 23.4.2021. However, due to pandemic situation, the petitioner could not produce surety and deposit the amount within two months. On 8.7.2021, when he filed an application

before the trial court, he was directed to get extension of time since the time lapsed on 23.6.2021. Hence, the present petition is filed. The delay in furnishing sureties is not intention, but due to lockdown announced. Thus, he prays for 10 days time to comply the order.

5. Considering the pandemic situation, this court is inclined to extend the time for one week to comply the order of this court.

6. (i) Petition is allowed.

(ii) The petitioner is directed to furnish sureties and deposit the 20% of the cheque amount within one week from the date of receipt of copy of this order.

Delivered by me today.

Sd/- S. Alli,
I Additional Sessions Judge /
(I/c) Principal Sessions Judge

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt.S.Alli, M.L.,
I Additional Sessions Judge /
Principal Sessions Judge (I/c)
Thursday, the 15th day of July, 2021.**

Crl.M.P.No.11541/2021

in

Crl.M.P.No.8373/2021

in

C.A.No.99/2021

in

C.C.No.5204/2011

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

Mohideen Sayed Ibrahim

...Petitioner/Appellant/Accused A3

Vs.

A & A International Trading Pvt. Ltd.,
No.6-5/140, Kaviyarasu Kannadasan Nagar,
Kodungaiyur, Chennai-118,
Rep. by Saikumar

.... Respondent/Respondent/Complainant

This petition is coming on this day before me for hearing in the presence of M/s.T.K.Ravi Kumar, Counsel for the Petitioner / Appellant / Accused and upon hearing petitioners' side argument, this Court delivered the following,

ORDER

1. Petitioner seeks extension of time granted in Crl.M.P.No.8373/2021, dated 23.4.2021.
2. The counsel for the petitioner and CPP were heard through Video Conference.
3. As per the order passed in Crl.M.P.No.8373/2021, dated 23.4.2021 this court suspended the sentence imposed on the petitioner on condition that the petitioner shall execute a bond for Rs.10,000/- with two sureties each for a likesum to the satisfaction of the learned Metropolitan Magistrate, FTC-I, Egmore, Chennai and also directed to deposit 20% of the cheque amount to the credit of C.C. number on the file of the Trial Court within sixty days from the date of the order.
4. Learned counsel for the petitioner submits that the order was passed on 23.4.2021. However, due to pandemic situation, the petitioner could not produce surety and deposit the amount within two months. On 8.7.2021, when he filed an application

before the trial court, he was directed to get extension of time since the time lapsed on 23.6.2021. Hence, the present petition is filed. The delay in furnishing sureties is not intention, but due to lockdown announced. Thus, he prays for 10 days time to comply the order.

5. Considering the pandemic situation, this court is inclined to extend the time for one week to comply the order of this court.

6. (i) Petition is allowed.

(ii) The petitioner is directed to furnish sureties and deposit the 20% of the cheque amount within one week from the date of receipt of copy of this order.

Delivered by me today.

ss

Sd/- S. Ali,
I Additional Sessions Judge /
(I/c) Principal Sessions Judge