

IN THE COURT OF SESSIONS AT CHENNAI

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

Tuesday, the 20th day of July 2021

Cr.L.M.P.No. 11578/2021

in

H-3 Tondiarpet P.S. Crime No. 1152/2021

Santhosh @ Coke Santhosh

.. 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, upon hearing M/s. M. Kaveri Selvam, C. Umamageshwaran, A. Manikandan, Counsel for the petitioner and of CPP for respondent, this Court delivered the following :

ORDER

1. The petitioner, who was arrested on 28.6.2021 for the offence punishable under Section 341, 294(b), 392, 397 and 506(ii) IPC in Crime No. 1152/2021 on the file of the respondent police, seeks bail.
2. The counsel for the petitioner and the CPP were heard through Video Conference.
3. Learned counsel for the petitioner submits that the petitioner is innocent of the offence. He has not committed any offence as alleged by the prosecution. False case has been foisted on him only for statistical purpose. The petitioner is in custody from 28.6.2021 and prays for granting bail.
4. On the other hand, learned CPP submits that this petitioner waylaid the defacto complainant and robbed Rs.200/- and a cell phone from him at knife point. He further submits that this petitioner is having 2 previous cases and objects the grant of bail.
5. The petitioner is in custody for more than three weeks. Period for taking custodial interrogation is over. Major portion of investigation might have been completed

by this time. 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 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.

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

Copy to :

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

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CrI.M.P.No. 11578/2021

IN THE COURT OF SESSIONS AT CHENNAI

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

Tuesday, the 20th day of July 2021

Crl.M.P.No. 11634/2021

in

V-4 Rajamangalam P.S. Crime No. 617/2021

Sam Prakash

.. Petitioner/Accused

Vs.

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

..Respondent/Complainant

This petition is coming on this day before me for hearing, upon hearing M/s.G.Mohanakrishnan and Karthiyayini Senthilvel, Counsel for the petitioner and of CPP for the respondent, this Court delivered the following

ORDER

1. The petitioner, who was arrested on 25.6.2021 for the offences punishable under Section 395, 458 and 511 of IPC in Crime No.617/2021 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 no way connected with the occurrence. No doubt, there was an occurrence of dacoity in the defacto complainant's house on 19.6.2021. As per the complaint, about five persons entered into the house and committed the offence by tying down the defacto complainant. On the other hand, 10 persons were roped as accused and the petitioner was also arrested and remanded to custody. He is not an identified accused. He is a Law Student, doing his B.L. and he has been falsely implicated in this case due to enmity of the defacto complainant's father Krishnan with the petitioner and prays for bail. He also filed the copy of the Law College Identity Card for perusal of the court.

4. On the other hand, the learned CPP submits that it is a case of 395 IPC. Totally 10 accused involved in this case. The accused all conspired together and planned to commit dacoity in the defacto complainant's house. Five persons entered into the house by wearing mask to conceal their identity. When the defacto complainant, aged about 16, a minor girl, was alone, she has been tied to the chair and her mouth was closed by cello-tape. Thereafter, the persons came to the house searched for the amount. Having smelt the arrival of some other persons, they escaped with the looted amount. As such, the complaint was lodged. Though the present petitioner not entered into the house, he is the brain behind the crime. The petitioner and others hatched a plan to commit dacoity in the house of the defacto complainant. By watching the movement of the adult members and availability of sufficient amount in the house, they entered into action. The petitioner controlled the entire episode by keeping himself away. From the confession of the other accused, it came to light that the petitioner and others are behind the crime. So, all of them were roped in this case.

5. According to learned counsel for the petitioner due to previous enmity, this petitioner has been falsely roped in this case by the defacto complainant's father. According to CPP, no Identification Parade proceedings is pending. No previous case is reported as against the petitioner. The petitioner is in custody for more than three weeks. 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 XIII Metropolitan Magistrate, Chennai and on further condition that

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

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

Copy to :

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

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CrI.M.P.No. 11634/2021

IN THE COURT OF SESSIONS AT CHENNAI

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

Tuesday, the 20th day of July 2021

Crl.M.P.No. 11638/2021

in

R-7 K.K. Nagar P.S. Crime No. 393/2021

S. Sarath @ Sarath Kumar

.. 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, upon hearing M/s. K. Jayaraman, Counsel for the petitioner and of CPP for respondent, this Court delivered the following :

ORDER

1. The petitioner, who was arrested on 22.6.2021 for the offence punishable under Section 452, 294(b), 324, 307 IPC in Crime No. 393/2021 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 was arrested on 22.6.2021. There was a wordy quarrel. This petitioner is a bank employee. Injured was discharged from the hospital and prays for bail.
4. On the other hand, the learned CPP submits that since the defacto complainant and others objected consuming alcohol in the Hostel of Surya Hospital, the petitioner voluntarily caused hurt with deadly weapon on three persons. He further submits that this petitioner is having one previous case. However, he submits that injured were discharged from the hospital.
5. It is reported by the CPP that injured were discharged from the hospital. The petitioner is in custody for about 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 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 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 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/- R. Selvakumar,
Principal Sessions Judge**

Copy to :

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

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CrI.M.P.No. 11638/2021

IN THE COURT OF SESSIONS AT CHENNAI

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

Tuesday, the 20th day of July 2021

Crl.M.P.No. 11700/2021

in

J-6 Thiruvanmiyur P.S. Crime No. 279/2021

Nandhakumar @ Nandha

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
J-6 Thiruvanmiyur Police Station,
Chennai.

..Respondent/Complainant

This petition is coming on this day before me for hearing, upon hearing M/s. T. Divya, A. Kranthi Prithviraj, A. Tamil Selvan, Counsel for the petitioner and of CPP for the respondent, this Court delivered the following

ORDER

1. The petitioner, who was voluntarily surrendered before the Judicial Magistrate, Ponneri on 30.4.2021 for the offence punishable under Section 294(b), 324, 307, 506(ii) IPC in Crime No. 279/2021 on the file of the respondent police, seeks bail.

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

3. Learned counsel for the petitioner submits that the petitioner is innocent of the offence. When he came to know about the registration of case against him, he was surrendered before the Judicial Magistrate, Ponneri. Since this petitioner is friend of A1, he has been implicated in this case. A1 only assaulted the defacto complainant. He is no way connected with the alleged offence. This petitioner is in custody from 30.4.2021 and prays for granting bail.

4. On the other hand, learned CPP submits that due to previous enmity, this petitioner along with other accused brutally attacked the defacto complainant using deadly weapons and due to which the victim got 7 sutures. He further submits that this petitioner is a habitual offender and having 15 previous cases and thus, he seriously objects the grant of bail.

5. Though the petitioner is having some previous cases, as far as this case is concerned, he is in custody for the past 80 days. It is reported by the CPP that injured was discharged from the hospital. 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 XVIII Metropolitan Magistrate, Chennai and on further condition that

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

(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/- R. Selvakumar,
Principal Sessions Judge

Copy to :

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

vv

CrI.M.P.No. 11700/2021

IN THE COURT OF SESSIONS AT CHENNAI

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

Tuesday, the 20th day of July 2021

CrI.M.P.No. 11706/2021

in

G-5 Secretariat Colony P.S. Crime No. 160/2021

1. Hari @ Hariprasad
2. Chandran

.. Petitioners/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. D. Vijay, V. Veerapandian, R. Sathishkumar, Counsel for the petitioners and of CPP for the respondent, this Court delivered the following

ORDER

1. The petitioners, who were arrested on 6.7.2021 for the offence punishable under Section 341, 294(b), 323, 427, 397, 336 and 506(ii) IPC in Crime No. 160/2021 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 of the offence. They have been falsely implicated in this case. The petitioners have no bad antecedents. They are in custody from 6.7.2021 and prays for granting bail.

4. On the other hand, learned CPP submits that these petitioners waylaid the defacto complainant and robbed Rs.400/- from him at knife point.

5. No previous case is reported as against the petitioners. They are in custody for the past two weeks. Considering the duration of custody and the fact that the petitioners have no bad antecedents, 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 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 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/- R. Selvakumar,
Principal Sessions Judge**

Copy to :

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

vv

CrI.M.P.No. 11706/2021

IN THE COURT OF SESSIONS AT CHENNAI

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

Tuesday, the 20th day of July, 2021

CrI.M.P.No. 11708/2021

in

K.8, Arumbakkam P.S. Crime No. 866/2021

Suresh Kumar

.. Petitioner/Accused.

Vs.

State Rep. by
The Inspector of Police,
K.8, Arumbakkam Police Station,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing, upon hearing M/s. E. Velu and K. Dilli Ganesh, Counsel for the petitioner and of CPP for respondent, this Court delivered the following :

ORDER

1. The petitioner, who was arrested on 17.6.2021 for the offence punishable under Section 307, 302 IPC in Crime No.866/2021 on the file of the respondent police, seeks bail.

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

3. Learned counsel for the petitioner submits that the petitioner is innocent. His name was not found in the FIR. The petitioner has no bad antecedents. The petitioner was staying in Gold Guest House along with his friends. The deceased and his friends created ruckus while they were in inebriated condition. There was a clash between the friends of the petitioner and the persons who stayed in the adjacent room, wherein one of the person sustained injury and later died. This petitioner is noway connected with the murder of the deceased. Co-accused was granted bail by the Hon'ble High Court in

CrI.O.P.No.12056/2021 on 15.7.2021. Petitioner is in custody for more than a month and hence prays for granting bail.

4. On the other hand, learned CPP submits that there was a clash between the person who stayed in the adjacent rooms in the Gold Guest House. In pursuance of the same, when the defacto complainant and his friends came out of the guest house, this petitioner and his friends attacked the defacto complainant and his friends and one Badrish died in the hospital due to head injury and another person was admitted in the hospital. Learned CPP seriously objects granting bail stating that investigation is pending.

5. It is a case of 302 IPC. A valuable life has been lost. Petitioner is in custody for the past one month alone. Investigation is underway. Releasing the petitioner at this stage is not conducive for investigation. Under the above said circumstances, this court is not inclined to grant bail to the petitioner at present considering the gravity of offence and short duration of custody.

6. Hence, the petition is dismissed.

Delivered by me today.

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

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Thiru R. Selvakumar, B.A., M.L.,
Principal Sessions Judge
Tuesday, the 20th day of July, 2021**

Crl.M.P.No.11664/2021

in

W.10, All Women P.S. Crime No.5/2021

Mohamed Ashik

.. Petitioner/Accused.

Vs.

State Rep. by
The Inspector of Police,
W.10, All Women Police Station,
Flower Bazaar,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing, upon hearing M/s. G. Vinodh Kumar, N. Md. Imran Khan, Counsel for the petitioner and of CPP for respondent, this Court delivered the following :

ORDER

1. The petitioner, who apprehends arrest at the hands of the respondent police, for the alleged offence u/s. 4 of TNPHW Act and Sec. 506(i) of IPC in Crime No.5/2021 on the file of the respondent police, seeks anticipatory bail.
2. Learned counsel for the petitioner and learned CPP were heard through Video Conference.
3. Learned counsel for the petitioner submits that the petitioner and the defacto complainant are relatives. They had love affair. Now, under the influence of her parents she refused him and lodged this false complaint. The petitioner is noway connected with the offence. Hence, prays for granting anticipatory bail.
4. On the other hand, learned CPP submits that this petitioner, relative of the defacto complainant was residing in her house. Taking advantage of the same, he developed one side love with her and also took joint photos in the family function. When the defacto complainant's family arranged her marriage with some other person, he

contacted the bridegroom and stopped her marriage by showing the photographs and the messages. He objects granting anticipatory bail.

5. The allegation against the petitioner is that he contacted the bridegroom of the defacto complainant and spoken ill of her character by showing the photographs and messages, due to which the marriage of the defacto complainant was cancelled. The victim(defacto complainant) herself lodged the complaint. Under such circumstances, considering the conduct of the petitioner, this court is not inclined to grant anticipatory bail.

6. Petition is dismissed.

Delivered by me today.

Sd./- R. Selvakumar
Principal Sessions Judge

nmk

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Tuesday, the 20th day of July, 2021

Crl.M.P.No.11666/2021

in

Crl.M.P.No.7008/2021

in

F.1, Chintadripet P.S. Cr.No.489/2019

Purushothaman

... Petitioner/Accused.

vs.

State by

The Inspector of Police,

F.1, Chintadripet Police Station,

Chennai.

... Respondent/Complainant.

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

ORDER

1. Petitioner seeks relaxation of the condition imposed by this court in Crl.M.P.No.7008/2021, dt:9.4.2021.

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.7008/2021 on 9.4.2021 with some conditions. One such condition is that the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders.

4. Learned counsel for the petitioner submits that due to Covid-19 lockdown, the petitioner was unable to comply the condition during May and June and after lifting of lock down, he has been regularly complying the condition from 25.6.2021. According to learned CPP, the petitioner has complied the condition from 25.6.2021 to 18.7.2021. Considering the period of compliance, this court is inclined to relax the condition.

5. Petition is allowed. Condition is relaxed in toto.

Delivered by me today.

Sd./- R. Selvakumar
Principal Sessions Judge

IN THE COURT OF SESSIONS AT CHENNAI

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

Tuesday, the 20th day of July, 2021

Crl.M.P.No.11667/2021

in

Crl.M.P.No.9191/2021

in

Crl.M.P.No.10974/2020

in

W.9, AWPS. Cr.No.6/2020

Mumtaz @ Thatchayani

... Petitioner/Accused.

vs.

State by
The Inspector of Police,
W.9, All Women Police Station,
Villivakkam,
Chennai.

... Respondent/Complainant.

This petition is coming on this day before me for hearing, upon hearing M/s. P. Surendran, G. Pandian, Counsel for the petitioner and the CPP for the respondent, this Court delivered the following,

ORDER

1. Petitioner seeks relaxation of the condition imposed by this court in Crl.M.P.No.9191/2021, dt:30.4.2021.

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

3. The petitioner was granted anticipatory bail by this court in Crl.M.P.No.10974/2020 on 25.3.2021 for the offence u/s.498(A), 323, 506(i) of IPC with some conditions. One such condition is that the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. Subsequently, the said condition was modified by this court to appear before the respondent police once in a week on every Monday at 10.30 a.m. until further orders vide order dated 30.4.2021 in Crl.M.P.No.9191/2021.

4. According to learned counsel for the petitioner, due to Covid-19 lockdown, the petitioner was unable to comply the condition during May and June and thereafter, she has been regularly complying the condition. According to learned CPP, the petitioner has complied the modified condition once in a week. Considering the same, this court is inclined to relax the condition.

5. Petition is allowed. Condition is relaxed in toto.

Delivered by me today.

Sd./- R. Selvakumar
Principal Sessions Judge

nmk

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Thiru R. Selvakumar, B.A., M.L.,
Principal Sessions Judge
Tuesday, the 20th day of July, 2021**

Crl.M.P.No.11668/2021

in

Crl.M.P.No.10745/2021

in

C.5, Kothavalchavadi P.S. Cr.No.19/2021

1. Jayakumar
2. Appu
3. Rajkumar
4. Paneer Selvam

... Petitioners/Accused.

vs.

State by
The Inspector of Police,
C.5, Kothavalchavadi Police Station,
Chennai.

... Respondent/Complainant.

This petition is coming on this day before me for hearing, upon hearing M/s. S. Gurumoorthy, S. Santhosh, Counsel for the petitioners and the CPP for the respondent, this Court delivered the following,

ORDER

1. Petitioners seek relaxation of the condition imposed by this court in Crl.M.P.No.10745/2021, dt:15.6.2021.

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

3. The petitioners were granted bail by this court in Crl.M.P.No.10745/2021 on 15.6.2021 for the offence u/s.302 IPC with some conditions. One such condition is that the petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders.

4. Learned counsel for the petitioners submits that the petitioners have been complying the condition from 18.6.2021 to till date. The petitioners are daily wage earners and due to the above said condition, they are facing hardship to go to work. According to

learned CPP, the petitioners have complied the condition. However, considering the nature of offence, this court is inclined to modify the condition as follows:

“The petitioners shall appear before the respondent police once in a week, on every Monday at 10.30 a.m. until further orders.

Delivered by me today.

Sd./- R. Selvakumar
Principal Sessions Judge

nmk

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Tuesday, the 20th day of July, 2021.

CrI.M.P.No.11709/2021

in

K-11 C.M.B.T. Crime No.405/2021

Karuppiah

.. Petitioner/Accused

Vs.

State Rep. by

The Inspector of Police,

K-11, C.M.B.T. 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.J.William Shakesphere, V.Ravi and T.Srikanth and CPP for respondent, this Court delivered the following :

ORDER

1. The petitioner, who was arrested on 16.7.2021 for the offences punishable under Section 364-A r/w 34 of IPC in Crime No.405/2021 on the file of the respondent police, seeks bail.

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

3. Learned counsel for the petitioner submits that there was some money transaction between one Periyasamy and defacto complainant's husband Sakthi Vadivelan. Since the petitioner happens to be the friend of Periyasamy, he has been falsely implicated in this case. In fact, no offence u/s 364-A IPC is committed. The victim Sakthi Vadivelan owes Rs.1,96,000/- to Periyasamy. That being so, it is highly exaggerated complaint as if the family members were demanded Rs.25 lakhs for releasing the victim Sakthi Vadivelan. In any event, the petitioner has no role at all and prays for granting bail.

4. On the other hand, the learned CPP submits that it is a case of kidnapping for ransom. A sum of Rs.25 lakhs has been demanded from the family members of the victim. The prime accused Periyasamy is not yet arrested. The accused is in custody only for 4 days. Investigation is at the budding stage and seriously objects granting bail.

5. On perusal of the C.D., it appears the victim Sakthi Vadivelan is the native of Dharmapurai District owes some money to Periyasamy. Under the guise of advancing

further loan, he has been asked to come over to Chennai. As soon as he reached Chennai, he had been kidnapped in a car by the petitioner and others and detained in the factory premises of one Stalin. The accused made phone call to the family members of Sakthi Vadivelan and demanded Rs.25 lakhs to release the victim. The wife of the victim has given a complaint. On such complaint the present petitioner and others were arrested and the victim was rescued. The prime accused Periyasamy is yet to be arrested. The accused is in custody only for 4 days. Investigation is at the initial stage. Under such circumstances, this court is not inclined to grant bail.

6. Petition is dismissed.

Delivered by me today.

Sd/-R.Selvakumar
Principal Sessions Judge

ss

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Tuesday, the 20th day of July 2021

CrI.M.P.No.11712/2021

in

P.R.C.No.58/2021

(On the file of the learned XVI Metropolitan Magistrate, Chennai)

in

N-4, Fishing Harbour P.S. Cr.No.60/2021

Nisanthan

.. Petitioner/Accused.

Vs.

State Rep. by

The Inspector of Police,

N-4, Fishing Harbour Police Station,

Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing, upon hearing M/s.V.Karthick, S.Raj and A.G.Abdul Kareem, Counsel for the petitioner and of CPP for respondent, this Court delivered the following :

ORDER

1. The petitioner, who was arrested on 22.4.2021 for the offences punishable under Section 174 Cr.P.C. altered to 147, 148, 201, 302, 341 of IPC in Cr.No.60/2021 on the file of the respondent police, seeks bail.
2. Learned counsel for the petitioner and learned CPP were heard through Video Conference.
3. Learned counsel for the petitioner submits that the petitioner is in custody for nearly three months. Originally, the case was registered u/s 174 Cr.P.C., subsequently, altered to 302 IPC. The present petitioner is no way connected to the death of one Appunu @ Selvakumar. He is the friend of the petitioner. He has been falsely implicated in this case. Investigation is over. Charge sheet was also filed and pending for committal and prays for bail.
4. On the other hand, the learned CPP submits that it is a case of 302 IPC. The injuries with knife has been inflicted by the present petitioner. He is the main accused for the death of the victim and objects granting bail.

5. On perusal of the records, it appears as per the confession, the present petitioner caused injuries with knife. It is a case of circumstantial evidence. There is no eye-witness. The accused is in custody for nearly three months. Investigation is over. Charge sheet was filed and taken on file in P.R.C.No.58/2021 and posted for committal. Considering all those circumstances and duration of custody, this court is inclined to grant bail.

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 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.

Sd/-R.Selvakumar
Principal Sessions Judge

Copy to :

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

ss

CrI.M.P.No.11712/2021

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Tuesday, the 20th day of July 2021

Crl.M.P.No.11535/2021

in

R.R.No.13/2021

in

F.No.DRI/CZU/VIII/48/ENQ-01/INT-04/2021

S.Ganesh

.. Petitioner/Accused.

Vs.

Directorate of Revenue Intelligence,
Chennai Zonal Unit,
Rep. by Senior Intelligence Officer,
No.27, G.N.Chetty Road,
T.Nagar, Chennai-600017.

..Respondent/Complainant.

This petition is coming on this day before me for hearing, upon hearing M/s.M.Iliyas and A.Venkateswara Babu, Counsel for the petitioner and of M/s.N.Suresh Kumar, Special Public Prosecutor for respondent, this Court delivered the following :

ORDER

1. The petitioner, who was arrested on 9.6.2021 for the offences punishable under Section 104, 135 of Customs Act, 1962 in R.R.No.13/2021 on the file of the respondent police, seeks bail.
2. Learned counsel for the petitioner and learned SPP were heard through Video Conference.
3. Learned counsel for the petitioner submits that the petitioner is only a Supervisor of a Godown, in which, according to the prosecution, somebody tried to export red sanders under the guise of declared goods by stuffing red sanders in the container. Since, the petitioner was present at the premises, he has been arrested. He is no way connected with the offence. He is in custody from 9.6.2021 and prays for bail.
4. On the other hand, the learned Special Public Prosecutor submits that the petitioner is in custody of the goods about to be exported by stuffing the same in the container. Since he is having control over the banned goods, he has been arrested. He has given a voluntary confession statement implicating himself and others in the crime. The prime accused Vijay Sarathi @ Viji is yet to be arrested and he is still at large. The value of

red sanders about to be exported without valid permission is running to crores and seriously objects granting bail.

5. On perusal of the records, it appears the petitioner was present in a Godown situated at M/s.Mahalakshmi Bright Steel Industries Pvt. Ltd., Sadayankuppam, Manali, Chennai. The customs officials found a container lorry stuffed with red sanders with export clearance bill for some other goods and thus, he has been arrested. On the confession statement given by the petitioner, some other accused were also arrested. The kingpin Vijay Sarathi @ Viji, a childhood friend of the petitioner, is yet to be arrested. Prima faice, the petitioner cannot claim ignorance or innocence. The petitioner's counsel submits that he is only a Supervisor in the Godown. However, he has not produced any document about the ownership of the Godown or about the employment of the petitioner. In the absence of any other document to show that he is only an employee, the version put forward by the petitioner cannot be taken as it is. It appears to be an afterthought in order to escape from the clutches of law. Considering the seriousness of the offence and the manner in which it has been executed, this court is not inclined to grant bail at present.

5. Petition is dismissed.

Delivered by me today.

Sd/-R.Selvakumar
Principal Sessions Judge

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