

IN THE COURT OF SESSIONS AT CHENNAI

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

**Tuesday, the 23<sup>rd</sup> day of November, 2021**

**Crl.M.P.No. 20862/2021**

**in**

**CCB-1, Vepery Crime No. 118/2021**

J. Yamini @ Anitha

.. Petitioner/Accused

Vs.

State Rep. by  
The Inspector of Police,  
Central Crime Branch -I,  
Vepery,  
Chennai.

..Respondent/Complainant

This petition is coming on this day before me for hearing in the presence of M/s. K. Ramsankar, T. Sivakumar, K. Mohanraj, Counsel for the petitioner and of CPP for the respondent, this Court delivered the following

**ORDER**

1. The petitioner, who was arrested on 3.11.2021 for the offences punishable under Section 406, 420 r/w 34 IPC in Crime No. 118/2021 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that this petitioner is arrayed as A2. She is no way connected with the alleged offence. Since because she is the wife of A1 Swadeeswaran, she has been arrested. She is in custody for about 20 days and prays for granting bail.

4. On the other hand, learned CPP submits that it is a case of job racketing. Under the guise of securing Government employment, this petitioner's husband lured the defacto complainant to part with their money. This petitioner being the wife of Swadeeswaran, she gave assurance for getting employment. The case is under investigation and seriously objects granting bail.

5. Even as per the remand report it is alleged that “ அனிதா ஏ1 ன் மனைவி என்பதால் இந்த எதிரிகளுடன் குற்ற செயலுக்கு உடந்தையாக செயல்பட்டு கணவரின் நண்பர்களை சென்னை துறைமுகத்தில் வேலை செய்யும் அதிகாரிகள் என்றும் அவர்களின் பெயர்களை மாற்றி சொல்லி ஏமாற்றி வாதி மகனுக்கு இவர்கள் துறைமுகத்தில் வேலை வாங்கி தந்து விடுவார்கள் என்று நம்பிக்கையூட்டி குற்றம் புரிந்துள்ளார்”. Further in the complaint this petitioner claimed herself as genuine person and stated that she is employed at Indian Overseas Bank, Avadi branch and they will secure job for the son of the defacto complainant and others as promised by them. Under the said circumstances, we cannot simply say that she is not a party to the crime. She is in custody only for the past three weeks. Investigation is underway. In the above said circumstances, this court is not inclined to grant bail to the petitioner at present.

6. Petition is dismissed.

Delivered by me in the open court today.

**Principal Sessions Judge**

IN THE COURT OF SESSIONS AT CHENNAI

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

**Tuesday, the 23<sup>rd</sup> day of November, 2021**

**Crl.M.P.No. 20790/2021**

**in**

**CCB-1, Vepery Crime No. 84/2021**

Kulanthaivel

.. Petitioner/Accused

Vs.

State Rep. by  
The Inspector of Police,  
Central Crime Branch,  
Vepery,  
Chennai.

..Respondent/Complainant

This petition is coming on this day before me for hearing in the presence of M/s. P. Thinesh, T. Sundarbabu, Counsel for the petitioner and of CPP for the respondent, this Court delivered the following

**ORDER**

1. The petitioner, who was arrested on 8.10.2021 for the offences punishable under Section 406, 420, 465, 468 r/w 34 IPC in Crime No. 84/2021 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that this petitioner has been falsely implicated in this case on the basis of statement given by one Madanagopal. He is in custody from 8.10.2021 and prays for granting bail.

4. On the other hand, learned CPP filed a written objection and stated that the present petitioner and the prime accused Madanagopal joined together and lured innocent job aspirants to part with their money under the guise of getting employment in TNEB, Secretariat etc., Apart from that, they also issued bogus appointment orders. The investigation reveals that so far 20 complaints were received and the accused collected money from the innocent job aspirants and they have cheated several Crores of rupees from

the victims and also many agents involved in this offence. Investigation is not yet get a shape and seriously objects granting of bail.

5. Considering the nature of offence, number of persons cheated and stage of the investigation, this court is not inclined to grant bail to the petitioner at present.

6. Hence, this petition is dismissed.

Delivered by me in the open court today.

**Principal Sessions Judge**

IN THE COURT OF SESSIONS AT CHENNAI

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

**Tuesday, the 23<sup>rd</sup> day of November, 2021**

**Crl.M.P.No. 20634/2021**

**in**

**CCB-1 , Crime No. 19/2021**

Muthuvel

.. Petitioner/Accused

Vs.

State Rep. by  
The Inspector of Police,  
Central Crime Branch -I,  
Chennai.

..Respondent/Complainant

This petition is coming on this day before me for hearing in the presence of M/s. M. Mohamed Riyaz, G. Nareshkumar, Counsel for the petitioner and of CPP for the respondent, this Court delivered the following

**ORDER**

1. The petitioner, who was arrested on 25.9.2021 for the offences punishable under Section 120-B, 419, 420, 465, 467, 468 and 471 IPC in Crime No. 19/2021 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that this petitioner is innocent. He has not availed any loan facilities. He had purchased the property at Ram Nagar Extension, Madipakkam village from the bank loan of Rs.56.28 lakhs and based on the execution of further documents, he obtained overdraft facility of Rs.77.7 lakhs and it was sanctioned to the petitioner. After due verification of the documents, the bank had advanced the loan to the petitioner. This petitioner had not cheated anyone. As a matter of fact, he was cheated by the impersonators and he came to know about the same only when he was arrested in this crime number based on the complaint dt. 18.1.2021 that the document in respect of their property was created and the same was executed in the name of the petitioner herein. This

petitioner is a bonafide purchaser. He is in custody from 25.9.2021 and prays for granting bail.

4. According to CPP, this petitioner is the prime accused. A2 is his wife. They are running M/s. Esa Modern Rice Mill at Arani. This petitioner, his wife and their associates conspired together with intention to cheat the Indian Bank and had availed Rs.114.37 lakhs of housing loan for purchasing of plot 2400 sq.feet at Ram Nagar Extension, Madipakkan village which belongs to one Chokalingam. For availing loan, they submitted fabricated document by impersonating another Chokkalingam of Morai Village. Further, this petitioner availed Over Draft facility of Rs.77.75 lakhs by submitting fabricated same land document and cheated the bank. Investigation is underway. Hence, he objects the grant of bail.

5. The alleged land documents deposited by the petitioner appears to have been executed by impersonation. On the basis of impersonated document, this petitioner obtained loan nearly Rs.2 Crores from Indian Bank, Kilpauk branch. This petitioner also availed over draft of Rs.77.75 lakhs by submitting fabricated land document. Investigation is yet to get shape. There is no proper explanation for Repayment of loan amount. After obtaining loan, whether this petitioner has repaid the loan to the bank is not known. Considering the gravity of offence this court is not inclined to grant bail to the petitioner at present.

6. Petition is dismissed.

Delivered by me in the open court today.

**Principal Sessions Judge**

IN THE COURT OF SESSIONS AT CHENNAI

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

**Tuesday, the 23<sup>rd</sup> day of November, 2021**

**Crl.M.P.Nos. 20632 & 20735/2021**

**in**

**CCB Team XVIII A Crime No. 143/2021**

Arumugam

.. Petitioner/Accused  
in Crl.M.P.No.20632/2021

Usha

.. Petitioner/Accused  
in Crl.M.P.No.20735/2021

Vs.

State Rep. by  
The Sub-Inspector of Police,  
CCB Team XVIII A,  
Chennai.

..Respondent/Complainant  
in both the petitions

The above petitions are coming on this day before me for hearing in the presence of M/s. M. Govindaraju, T. Vidyasagar, M.K. Gauthaman, SMA. Mohammed Faiz Mohideen, Counsel for the petitioner in Crl.M.P.No. 20632/2021 and of M/s. A. Nirmal Kumar, M. Sabitha, Counsel for the petitioner in Crl.M.P.No.20735/2021 and of CPP for the respondent, and upon hearing them this Court delivered the following

**COMMON ORDER**

1. The petitioner in Crl.M.P.No.20632/2021, who was arrested on 18.10.2021 and the petitioner in Crl.M.P.No.20735/2021 was arrested on 7.10.2021 for the offences punishable under Section 419, 465, 467, 468, 471 r/w 34, and 109 IPC in Crime No. 143/2021 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner in Crl.M.P.No.20632/2021 submits that this petitioner is aged 60 years. He was residing in the house of Jayalakshmi one of the accused herein. This petitioner has nothing to do with the alleged offence. Other arrested co-accused were granted bail by the Hon'ble High Court in Crl.O.P.Nos.21018, 21095, 21196 and

21307/2021 dated 15.11.2021. This petitioner is in custody for more than one month and prays for granting bail.

4. The counsel for the petitioner in CrI.M.P.No. 20735/2021 submits that she approached one Jaffer Sathiq Basha for borrowal of a sum of Rs.15,000/- and the said Jaffer Sathiq Basha demanded the petitioner to sign in the documents and she also accepted his demand. When she was going to sign her name in the documents, the said Jaffer Sathiq Basha has prevented her and directed her to sign as K.L. Leelakumri and then only he would pay the amount. At that time, since this petitioner is in need of money urgently, she has no other go except to sign as K.L. Leelakumari and now only she came to understand that the said Jaffer Sathiq Basha impersonated the petitioner. She has no knowledge about the forgery. She is innocent of the offence. Other arrested co-accused were granted bail by the Hon'ble High Court in CrI.O.P.Nos.21018, 21095, 21196 and 21307/2021 dated 15.11.2021. This petitioner is in custody from 7.10.2021 and prays for granting bail.

4. The case of the prosecution is that the defacto complainant Leelakumari has given a complaint before the respondent police stating that her husband has settled the property in favour of her measuring to an extent of 33 cents in Thandalam Village in Survey No.236. Since, she was unable to look after the property, she has given a registered Power of attorney in the name of Jaffer Sadiq Basha on 17.4.2015 under registered document. Thereafter, due to misunderstanding between the defacto complainant and the said Jaffer Sadiq Basha, the defacto complainant has cancelled the Power of Attorney. but, he has not returned the original documents. Hence, defacto complainant filed a civil suit in O.S.No.18/2019 before the Kancheepuram Sub Court and the same is pending. While so, on 27.1.2021 when the defacto complainant has applied for EC for her property, she came to know that the said Jaffer Sadiq Basha has created forged documents impersonating the defacto complainant and created the forged power of attorney and the same was registered on 4.1.2021, Thereafter, defacto complainant has sent a representation to the DRO Kancheepuram about the forged transaction and thereby this complaint has been lodged before the respondent police.

5. Other arrested accused are released on bail by the Hon'ble High Court in CrI.O.P.Nos. 21018, 21095, 21196 and 21307/2021 dated 15.11.2021 and one of the accused was released on bail by this court on 17.11.2021. There are chances for innocence. The petitioners are in custody for more than a month. Considering all those 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 Special Metropolitan Magistrate, Land Grabbing Court No.II (FAC) Egmore, 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 petitioners in accordance with law as if the conditions have been imposed and the 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 in the open court today.

**Principal Sessions Judge**

Copy to :

1. The Special Metropolitan Magistrate, Land Grabbing Court No.II(FAC), Egmore, Chennai.
2. The Superintendent, Central Prison, Puzhal, Chennai.

vv CrI.M.P.Nos. 20632 & 20735/2021

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Thiru R. Selvakumar, B.A., M.L.,  
Principal Sessions Judge  
Tuesday, the 23<sup>rd</sup> day of November, 2021.**

**CrL.M.P.No.20873/2021**

in

**F-2, Egmore P.S. Crime No.710/2021**

Bhuvaneswari

.. Petitioner/Accused

Vs.

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

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s.K.Muthuvel, 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), 323 and 506(i) of IPC in Crime No.710/2021 on the file of the respondent police, seeks anticipatory bail.

2. The learned counsel appearing for the petitioner submits that the petitioner is innocent and she has not committed any offence as alleged. The petitioner apprehends arrest and prays for granting anticipatory bail.

3. On the other hand, the learned CPP submits that the petitioner assaulted the defacto complainant with hands.

4. The petitioner is a woman. During the visit of officials in the flood affected area, there was some wordy quarrel between the petitioner and defacto complainant. It is alleged that the petitioner assaulted the defacto complainant with hands. Except 506(ii) IPC, other offences are bailable. Considering the same, 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 XIV 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. for two weeks.

[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.

**Principal Sessions Judge**

Copies to:

1. The XIV Metropolitan Magistrate, Chennai.
2. CPP, Chennai.
3. The Inspector of Police, F-2, Egmore Police Station, Chennai.

ss

Crl.M.P.No.20873/2021

IN THE COURT OF SESSIONS AT CHENNAI

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

**Principal Sessions Judge**

Tuesday, the 23<sup>rd</sup> day of November, 2021.

**Crl.M.P.No.20539/2021**

**in**

**Crl.M.P.No.18625/2021**

**in**

**Crime No.166/2021**

R.Vivekanandan

.. Petitioner/Accused

Vs.

State Rep. by

The Inspector of Police,

Central Crime Branch-I, Vepery,

Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s.K.Vijay Kumar and R.Saravanan, 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 Crl.M.P.No.18625/2021, dt: 25.10.2021.

2. The petitioner was granted anticipatory bail by this court in Crl.M.P.No.18625/2021, dated 25.10.2021 with condition to appear before the respondent police daily at 7 p.m. until further orders.

3. Learned CPP submits that the petitioner has complied the condition for 15 days.

4. The petitioner has complied the condition for 15 days. Considering the nature of case and the number of days complied, this court is inclined to modify the condition as follows :

“The petitioner shall appear before the respondent police twice in a week, i.e., on every Monday and Wednesday at 7 p.m. until further orders.”

Delivered by me today in open court.

IN THE COURT OF SESSIONS AT CHENNAI

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

**Principal Sessions Judge**

Tuesday, the 23<sup>rd</sup> day of November, 2021.

**Crl.M.P.No.20875/2021**

**in**

**Crl.M.P.No.18577/2021**

**in**

**Crime No.560/2021**

1. Aravind @ Manikandan
2. R.Harishkumar

.. Petitioners/Accused

Vs.

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

..Respondent/Complainant.

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

**ORDER**

1. The petitioners seek relaxation of the condition imposed by this court in Crl.M.P.No.18577/2021, dt: 22.10.2021.
2. The petitioners were granted bail by this court in Crl.M.P.No.18577/2021, dated 22.10.2021 with condition to appear before the respondent police daily at 10.30 a.m. until further orders.
3. Learned CPP submits that the petitioners have complied the condition for 25 days.
4. The petitioners have complied the condition for 25 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.

IN THE COURT OF SESSIONS AT CHENNAI

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

**Principal Sessions Judge**

Tuesday, the 23<sup>rd</sup> day of November, 2021.

**Crl.M.P.No.20802/2021**

**in**

**Crl.M.P.No.19835/2021**

**(On the file of the learned Chief Metropolitan Magistrate, Egmore, Chennai)**

**in**

**Crime No.38/2021**

Mohammad Hussainey Baig

.. Petitioner/Accused

Vs.

State Rep. by  
The Inspector of Police,  
CCB-1 Police, Vepery,  
Chennai.

..Respondent/Complainant.

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

**ORDER**

1. The petitioner seeks modification of the condition imposed by the learned Chief Metropolitan Magistrate, Egmore, Chennai in Crl.M.P.No.19835/2021, dt: 5.10.2021.
2. The petitioner was granted bail by this court in Crl.M.P.No.19835/2021, dated 5.10.2021 with various conditions and one such condition is that the petitioner shall appear before the Investigating Officer daily at 10 a.m. until further orders.
3. According to the petitioner, the petitioner is complying with the condition from 12.10.2021 to till date. Entire investigation is over. He is ready to appear before the court. Hence, the condition may be modified and the petitioner may be permitted to appear before the court.
4. The petitioner has complied the condition from 12.10.2021 to till date. Considering the nature of case and the number of days complied, this court is inclined to modify the condition as follows :

“The petitioner shall appear before the respondent police twice in a week, i.e., on every Monday and Thursday at 7 p.m. until further orders.”

Delivered by me today in open court.

IN THE COURT OF SESSIONS AT CHENNAI

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

**Principal Sessions Judge**

**Tuesday, the 23<sup>rd</sup> day of November, 2021.**

Crl.M.P.No.20877/2021

in

Crl.M.P.No.15171/2021

in

C.A.No.141/2021

in

C.C.No.3517/2017

(on the file of the Metropolitan Magistrate, FTC-IV, George Town, Chennai)

B.Kuppusamy

...Petitioner/Appellant/Accused

Vs.

M.Christopher

.... Respondent/Respondent/Complainant

This petition is coming on this day before me for hearing, in the presence of M/s.A.T.Anbu Kumar, M.Kathirvel, R.Nisha and C.Jenith Alex, Counsel for the petitioner, upon hearing the petitioner's side, this Court delivered the following,

**ORDER**

1. Petitioner seeks extension of time granted in Crl.M.P.No.15171/2021, dt: 4.9.2021.

2. As per the order passed in Crl.M.P.No.15171/2021, dated 4.9.2021 this court suspended the sentence imposed on the petitioner with condition to deposit 20% of the cheque amount before the trial court within 60 days from the date of the order. Now, the present petition has been filed to extend the time.

3. According to the petitioner, due to health condition and financial crisis, the petitioner could not deposit the amount. Hence, seeks for extension of time.

4. The order was passed on 4.9.2021. Considering the reasons stated by the petitioner, this court is inclined to grant 30 days further time to deposit the amount.

5. (i) Petition is allowed.

(ii) Time is extended for a further period of 30 days to deposit the amount before the trial court.

Delivered by me in open court today.

IN THE COURT OF SESSIONS AT CHENNAI

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

**Principal Sessions Judge**

**Tuesday, the 23<sup>rd</sup> day of November, 2021.**

**Crl.M.P.No.20929/2021**

**in**

**C.A.No.182/2021**

**in**

**C.C.No.3367/2013**

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

1. Elavarasan

2. Naren @ Narendran

....Petitioners/Appellants/Accused

Vs.

State,

Represented by

The Sub-Inspector of Police,

K-6, T.P.Chatram Police Station,

Chennai.

.... Respondent/Respondent/Complainant

This petition is coming on this day before me for hearing in the presence of M/s.R.Muthukumar, R.Lingakumar and D.Jaisankar, Counsel for the petitioner and upon hearing the petitioner's side, this Court delivered the following,

**ORDER**

1. The petitioners seek suspension of sentence pending disposal of the appeal.

2. The Petitioners / Appellants herein are the accused 1 and 3 in C.C.No.3367/2013 on the file of the learned V Metropolitan Magistrate, Chennai. On 28.10.2021 judgment was pronounced in the above case and the petitioners were convicted u/s 324 r/w 34 of IPC and sentenced to undergo three years S.I. each.

4. Learned counsel for the petitioners would submit that the petitioners have fair chance of success in the appeal. Hence, prays to suspend the sentence.

5. This court has also perused the memorandum of appeal and the submission made by the petitioners' side. The trial court has suspended the sentence till 25.11.2021. As already stated supra, the Petitioner / Appellant / Accused was ordered to undergo simple imprisonment for a period of three years 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. Considering the above facts, this Court is inclined to suspend the sentence.

6. 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 V Metropolitan Magistrate, Chennai.

7. The appeal has been made over to V Additional Sessions Court, Chennai.

8. The appeal is posted to 23.12.2021.

Delivered by me today in the open court.

**Principal Sessions Judge**

**Copy to**

The V Metropolitan Magistrate, Chennai.

IN THE COURT OF SESSIONS AT CHENNAI

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

**Principal Sessions Judge**

**Tuesday, the 23<sup>rd</sup> day of November, 2021.**

**Crl.M.P.No.20976/2021**

**in**

C.A.No.183/2021

**in**

C.C.No.1115/2016

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

1. M/s.KTT Traders,  
Proprietor Mr.Narasimha Rao.
2. A.Narasimha Rao,  
Proprietor- M/s.K.T.T.Traders,  
No.1/109, Poonamallee High Road,  
Nerkundram, Opp. Onion Mandy,  
Chennai-600107.

...Petitioners/Appellants/Accused

Vs.

M/s.Ceat Limited,  
Its Power of Attorney Mr.T.R.Kamalakaran,  
No.5, Dr.Abdul Kalam Cross Street,  
Nagalkeni, Chrompet,  
Chennai-600044.

.... Respondent/Respondent/Complainant

This petition is coming on this day before me for hearing, in the presence of M/s.S.Prakash and M.Madhavan, Counsel for the petitioner, upon hearing the petitioner's side, 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.1115/2016 on the file of the learned Metropolitan Magistrate, FTC-I, Egmore, Chennai. On 22.10.2021, 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 to pay Rs.14,51,413/- along with interest at the rate of 9% p.a. amounting to Rs.6,53,135/-, in total Rs.21,04,548/- to the complainant as compensation within 8 weeks, in default, to undergo six weeks S.I.

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

5. This court has also perused the memorandum of appeal and the submission made by the petitioner's counsel. The trial court suspended the sentence for 30 days.

6. As per Sec.148 of N.I. Act (Amendment Act), 2018, the Appellate Court may order the Appellant to deposit such sum which shall be a minimum of Twenty percent of the fine or Compensation awarded by the Trial Court. In the above provision, it is clearly stated that the amount shall be deposited within 60 days from the date of the Order. As already stated supra, the petitioner / appellant / accused was ordered to undergo simple imprisonment for 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.

7. Considering the above facts and the value of the cheque amount, this Court is inclined to suspend the sentence on condition to deposit 20% of the cheque amount.

8. Accordingly, the sentence of imprisonment imposed on the petitioner by the lower Court alone is hereby suspended till the disposal of the appeal and the petitioner is ordered to be enlarged on bail on his executing a bond for Rs.10,000/- with two sureties each for a likesum to the satisfaction of the learned Metropolitan Magistrate, FTC-II, Egmore, Chennai. Further the petitioner shall 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 this Order.

9. The appeal has been made over to XXIII Additional Sessions Court, Chennai.

10. The appeal stands posted to 23.12.2021.

Delivered by me today in open court.

**Principal Sessions Judge.**

Copy to  
The Metropolitan Magistrate, FTC-II, Egmore, Chennai.

ss

IN THE COURT OF SESSIONS AT CHENNAI

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

**Tuesday, the 23<sup>rd</sup> day of November, 2021**

**Crl.M.P.No.20640/2021**

in

**ECIR/CEZO-II/05/2017**

**(On the file of the Directorate of Enforcement, Chennai)**

S.R.Kavin Sidhaarth

.. Petitioner/Accused

Vs.

State Rep. by  
Deputy Director,  
Directorate of Enforcement,  
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s.R.Sami, S.Venkataraman, R.Karthik, R.Gopinath and E.Ashok Kumar, Counsel for the petitioner and of Mr.N.Ramesh, Special Public Prosecutor for respondent and upon hearing both sides, this Court delivered the following :

**ORDER**

1. The petitioner, who was arrested on 24.9.2021 for the offence under Section 3 of PMLA, punishable u/s 4 of PMLA in ECIR/CEZO-II/05/2017 on the file of the respondent, seeks bail.

2. Learned counsel for the petitioner submits that the petitioner is innocent. In 2016, he approached one Shahul, friend of Kannan for seeking job in abroad. He informed that he wanted to start a business at Dubai and keep the petitioner as working partner and asking him to open a current account in Indian Bank, Thousand Lights Branch, for which alone the petitioner has submitted the KYC documents. It appears that without his knowledge, in connivance of Kannan and Bank Officials, they have manipulated the records. The petitioner was arrested on 24.9.2021. He is in custody for more than 50 days and prays for bail.

3. On the other hand, Mr.Ramesh, Special Public Prosecutor appearing for the Enforcement Directorate submits that the petitioner opened an account in the name of

M/s.B.K.Electro Tool Products by impersonating one Kannan. Similarly, he had registered a business in the name and style of M/s.Levensun Global Solutions Pvt. Ltd. along with one Thamim Ansari with Registrar of Companies. Further, it appears he opened another account for another company as M/s.I Square Enterprises as sole proprietor of the concern in his own name. Through these entities, it appears transactions worth about crores were being done in foreign exchange without importing any goods. The ignorance pleaded by the petitioner is not correct. The offence is grave in nature and seriously objects granting bail.

4. Considering the duration of custody, nature of offence and the amount involved in the transaction, this court is not inclined to grant bail.

5. Petition is dismissed.

Delivered by me today.

SS

**Principal Sessions Judge.**

