

IN THE COURT OF SESSIONS AT CHENNAI

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

Monday, the 28th day of June 2021

CrI.M.P.No.10882/2021

in

V.6, Kolathur P.S. Cr.No.422/2021

M. Tamizhselvan

.. Petitioner/Accused.

Vs.

State Rep. by
The Inspector of Police,
V.6, Kolathur Police Station,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing, upon hearing M/s. R. Maran, V Sathish, B.L. Sankar, Counsel for the petitioner and of CPP for respondent, this Court delivered the following :

ORDER

1. The petitioner, who was arrested on 16.6.2021 for the offence punishable under Section 341, 294(b), 323, 336, 397, 506(ii) IPC and Sec.4 of Tamilnadu Prohibition of Harassment of Women Act in Cr.No.422/2021 on the file of the respondent police, seeks bail.

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

3. The case of the prosecution is that the petitioner is a murder case accused. He murdered his own brother/husband of the defacto complainant. On the date of occurrence, he waylaid the defacto complainant, robbed money and assaulted her and threatened her with dire consequences.

4. Learned counsel for the petitioner submits that the petitioner is not having any bad antecedent of theft and robbery cases. He was implicated in a murder case. Because of that, the prosecution chosen to remand the petitioner in this case. It is a foisted case. He further submits that even before the alleged occurrence as per FIR, the petitioner was in the Police Station and hence prays for granting bail.

5. He also filed an application in CrI.M.P.No.10998/2021 u/s.91 of Cr.P.C., to call for the CCTV footage of the concerned Police Station. However, considering the

representation made by the counsel for the petitioner and the duration of custody and the absence of any robbery case against the petitioner, 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 Inspector of Police, Tiruvallur Town Police Station, 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 XIII Metropolitan Magistrate, Chennai.
2. The Superintendent, Sub-Jail, Poonamallee.
3. The Inspector of Police, Town Police Station, Tiruvallur.

nmk

Crl.M.P.No.10882/2021

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Monday, the 28th day of June 2021

CrI.M.P.No.10968/2021

in

V.5, Thirumangalam P.S. Cr.No.108/2021

N. Santhosh

.. Petitioner/Accused.

Vs.

State Rep. by

The Inspector of Police,

V.5, Thirumangalam Traffic Investigation Wing

Police Station,

Chennai.

..Respondent/Complainant.

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

ORDER

1. The petitioner, who was arrested on 15.6.2021 for the offence punishable under Section 279, 337, 308 IPC and Sec.185 of MV Act in Cr.No.108/2021 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. He is a Plumber. He did not drive the vehicle in a rash and negligent manner. It was an accident. Injured has been discharged from the hospital. The petitioner is in custody from 15.6.2021 and hence prays for granting bail.

4. On the other hand, learned CPP submits that the petitioner in a drunken mood drove his two wheeler in a rash and negligent manner and dashed against the Inspector, Traffic Investigation Wing, who tried to stop him and caused injury. He seriously objects granting bail.

5. The petitioner has been in custody for the past 14 days. Considering the duration of custody, the fact that injured has been discharged from the hospital and the age

of the petitioner, this court is inclined to grant bail to the petitioner, however, with condition to deposit Rs.5,000/- to the Tamilnadu Chief Minister Relief Fund.

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 VI 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 deposit Rs.5,000/- (Rupees Five Thousand Only) to Tamilnadu Chief Minister Relief Fund.

(c) the petitioner shall appear before the Investigating Officer as and when required.

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

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

(f) 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]**.

(g) 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 VI Metropolitan Magistrate, Chennai.
2. The Superintendent, Sub-Jail, Poonamallee.

nmk

Crl.M.P.No.10968/2021

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Monday, the 28th day of June 2021

CrI.M.P.No.10970/2021

in

K.9, Thiru.Vi.Ka. Nagar P.S. Cr.No.473/2021

Prem Kumar

.. Petitioner/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. G. Sivakumar, S.K. Masthan, B.M. Santharam, Counsel for the petitioner and of CPP for respondent, this Court delivered the following :

ORDER

1. The petitioner, who was arrested on 16.6.2021 for the offence punishable under Section 341, 294(b), 323, 324, 307, 427, 506(ii) IPC in Cr.No.473/2021 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. Petitioner is the husband of the defacto complainant. There was a quarrel between the spouses. An exaggerated complaint has been given. The petitioner is noway connected with the alleged offence. Co-accused was granted bail by this court. The petitioner is in custody from 16.6.2021 and hence prays for granting bail.
4. On the other hand, learned CPP submits that due to difference of opinion, the petitioner and his wife defacto complainant got separated and she is living with her parents. On the date of occurrence, this petitioner/A1 along with his friend went to the defacto complainant's house and demanded her to give gold jewellery, when she refused,

he assaulted her and also damaged the vehicles parked in the road. He further submits that this petitioner is a prime accused and he is having 5 previous cases and he cannot claim parity with that of the co-accused. Thus, he seriously objects granting bail.

5. Considering the nature of offence, the overt act against the petitioner and the bad antecedent, this court is not inclined to grant bail to the petitioner at present.

6. Hence, the 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

Monday, the 28th day of June 2021

CrI.M.P.No.10971/2021

in

K.9, Thiru.Vi.Ka. Nagar P.S. Cr.No.474/2021

Prem Kumar

.. Petitioner/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. G. Sivakumar, S.K. Masthan, B.M. Santharam, Counsel for the petitioner and of CPP for respondent, this Court delivered the following :

ORDER

1. The petitioner, who was arrested on 16.6.2021 for the offence punishable under Section 341, 294(b), 307, 506(ii) IPC in Cr.No.474/2021 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 in connection with Cr.No.473/2021, this false complaint has been registered against the petitioner. He is noway connected with the alleged offence. Co-accused was granted bail by this court. The petitioner is in custody from 16.6.2021 and hence prays for granting bail.

4. On the other hand, learned CPP submits that this petitioner/A1 along with A2 came in an Auto and created ruckus in the area and when the defacto complainant questioned them, they tried to attack the defacto complainant with knife and escaped from the place. He further submits that this petitioner is a prime accused and he is having 5

previous cases and there is CCTV footage to connect the accused with the crime and thus, he seriously objects granting bail.

5. Considering the nature of offence, the bad antecedents and the availability of the CCTV footage to connect the accused with the crime, this court is not inclined to grant bail to the petitioner at present.

6. Hence, the 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

Monday, the 28th day of June 2021

CrI.M.P.No.10986/2021

in

K.10, Koyambedu P.S. Cr.No.204/2021

G. Madankumar

.. Petitioner/Accused.

Vs.

State Rep. by
The Inspector of Police,
K.10, Koyambedu Police Station,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing, upon hearing M/s. J. Balamurugan, R. Jayaganesh, Counsel for the petitioner and of CPP for respondent, this Court delivered the following :

ORDER

1. The petitioner, who was arrested on 20.6.2021 for the offence punishable under Section 147, 148, 341, 294(b), 323, 397, 336, 506(ii) IPC in Crime No.204/2021 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 this petitioner is innocent. He is noway connected with the alleged offence. He has been falsely implicated in this case. Petitioner's name does not find a place in the FIR. The petitioner is in custody from 20.6.2021 and prays for granting bail.

4. On the other hand, learned CPP submits that this petitioner along with other accused waylaid the defacto complainant and demanded money, that on his refusal, they assaulted him and robbed Rs.1200/- and a cellphone from him. He seriously objects granting bail stating that the petitioner's earlier petition was dismissed only on 22.6.2021 and there is no change of circumstance.

5. Petitioner was arrested only on 20.6.2021. Petitioner's earlier petition was dismissed only on 22.6.2021. Considering the nature of offence, short duration of custody and no change of circumstance, this court is not inclined to grant bail to the petitioner at present.

6. Hence, the 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

Monday, the 28th day of June 2021

Crl.M.P.No.10992/2021

in

R.6, Kumaran Nagar P.S. Cr.No.380/2021

Yuvaraj

.. 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 M/s. M. Arun, V. Nepolion, 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 341, 294(b), 324, 397, 506(ii) IPC in Crime No.380/2021 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 this petitioner is innocent. He is noway connected with the alleged offence. He has been falsely implicated in this case. As per FIR, except the allegation that the petitioner dragged him(defacto complainant) into the Auto by this petitioner, no overt act is stated against the petitioner. The petitioner is in custody from 22.6.2021 and prays for granting bail.

4. On the other hand, learned CPP submits that this petitioner along with other accused waylaid the defacto complainant and demanded money, that on his refusal, they assaulted him and dragged him into the Auto and robbed Rs.16,500/- and assaulted him. He seriously objects granting bail stating that the petitioner was arrested recently.

5. Petitioner was arrested only on 22.6.2021. The period for taking custodial interrogation is not yet over. Considering the nature of offence and short duration of custody, this court is not inclined to grant bail to the petitioner at present.

6. Hence, the 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

Monday, the 28th day of June 2021

Crl.M.P.No.10995/2021

in

N.2, Kasimedu P.S. Cr.No.625/2021

Madhan Kumar @ Erupen Madhan

.. Petitioner/Accused.

Vs.

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

..Respondent/Complainant.

This petition is coming on this day before me for hearing, upon hearing M/s. M. Nithiyavel, R. Mukesh Kannah, M. Kokila, 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 offence punishable under Section 341, 294(b), 323, 397, 506(ii) IPC in Crime No.625/2021 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 this petitioner is innocent. He is noway connected with the alleged offence. He has been falsely implicated in this case. The petitioner is in custody from 21.6.2021 and prays for granting bail.

4. On the other hand, learned CPP submits that this petitioner waylaid the defacto complainant and demanded money for consuming alcohol, that on his refusal, at knife point, this petitioner robbed Rs.650/- from the defacto complainant and assaulted him. He seriously objects granting bail stating that the petitioner was arrested recently and he is having 8 previous cases.

5. Petitioner was arrested only on 21.6.2021. The period for taking custodial interrogation is not yet over. Considering the nature of offence, bad antecedents and short duration of custody, this court is not inclined to grant bail to the petitioner at present.

6. Hence, the 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

Monday, the 28th day of June 2021

CrI.M.P.No.10996/2021

in

G.7, Chetpet P.S. Cr.No.211/2021

Chandrasekar

.. Petitioner/Accused.

Vs.

State Rep. by
The Inspector of Police,
G.7, Chetpet Police Station,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing, upon hearing M/s. N. Selvarajan, M. Jaikumar, L. Vinothkumar, P. Kamaraj, T. Lavanya, S.H. Vazhavankarthikeyan, P.S. Mercy Gnanammal, 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 147, 148, 302 IPC in Cr.No.211/2021 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. He is noway connected with the murder of the deceased. Petitioner's name does not find a place in the FIR. He has been falsely implicated in this case. Petitioner is in custody from 17.6.2021 and hence prays for granting bail.

4. On the other hand, learned CPP submits that due to previous enmity, this petitioner along with other accused attacked the deceased(Karuppu @ Vadivazhagan) repeatedly with knife on his head and he died on the way to hospital. Learned CPP further

submits that it is a recent arrest and investigation is at the budding stage. Thus, he seriously objects granting bail.

5. Learned counsel for the petitioner submits that petitioner is not a named accused and he was falsely implicated by the respondent police. On the other hand, learned CPP submits that there is CCTV footage to connect the accused with the crime. Any how, it is a case of 302 IPC. A valuable life has been lost. The petitioner was arrested only on 17.6.2021. Considering the gravity of offence, the availability of CCTV footage to connect the accused with the crime and the fact that investigation is at the budding stage, this court is not inclined to grant bail to the petitioner at present.

6. Hence, the 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

Monday, the 28th day of June 2021

CrI.M.P.No.10997/2021

in

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

R. Balaji

.. 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. G. Saravana Kumar, R. Suresh, K. Usharani, V. Gopalsamy, S. Mishra Sathya Seeman, Counsel for the petitioner and of CPP for respondent, this Court delivered the following :

ORDER

1. The petitioner, who was arrested on 18.6.2021 for the offence punishable under Section 307, 302 IPC in Cr.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. Though, the petitioner was stayed in the room along with his friends, he was sleeping at the time of occurrence and he is noway connected with the murder of the deceased. He voluntarily surrendered before the respondent police. Petitioner is in custody from 18.6.2021 and hence prays for granting bail.
4. On the other hand, learned CPP submits that there was a clash between two groups 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 started to attack the defacto complainant and his friends. The

accused attacked one Badrish(now deceased) with hallow block stone on the head and he died in the hospital due to the head injury. Learned CPP seriously objects granting bail stating that it is a recent arrest and investigation is at the budding stage.

5. It is a case of 302 IPC. A valuable life has been lost. The petitioner was arrested only on 18.6.2021. Considering the gravity of offence and the fact that investigation is at the budding stage, this court is not inclined to grant bail to the petitioner at present.

6. Hence, the 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
Monday, the 28th day of June, 2021.**

CrL.M.P.No.10975/2021

in

P-1, Pulianthope P.S. Crime No.134/2020

Vinoth @ Vinoth Kumar

.. Petitioner/Accused

Vs.

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

..Respondent/Complainant.

This petition is coming on this day before me for hearing, upon hearing the counsel for the petitioner M/s.Mohammed Aasif and C.Johnson Samuel 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 392 and 394 of IPC in Crime No.134/2020 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. Co-accused have been granted bail by the Magistrate. The petitioner apprehends arrest and prays for granting anticipatory bail.

4. On the other hand, the learned CPP submits that the petitioner along with other accused assaulted the defacto complainant and robbed his cellphone. The petitioner is having one previous case, thus, strongly opposed the petition.

5. It is a case of 392 IPC. The petitioner is having one previous case. Granting anticipatory bail in these type of cases will send a wrong signal to the society at large. Considering the antecedents 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

ss

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Thiru R. Selvakumar, B.A., M.L.,
Principal Sessions Judge
Monday, the 28th day of June, 2021.**

Cr.L.M.P.No.10976/2021

in

H-1, Washermenpet P.S. Crime No.1869/2021

1. Naveen
2. Suresh

.. Petitioners/Accused

Vs.

State Rep. by
The Inspector of Police,
H-1, Washermenpet 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.N.Naresh and CPP for respondent, this Court delivered the following :

ORDER

1. The petitioners, who apprehend arrest by the respondent police for the alleged offences punishable u/s 147, 148, 294(b), 324 and 506(ii) of IPC in Crime No.1869/2021 on the file of the respondent police, seek anticipatory bail.

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

3. Learned counsel for the petitioners submits that the petitioners are innocent and they have not committed any offence as alleged. There was a clash between two groups and both have assaulted each other. Counter case in Cr.No.1880/2021 was registered. The petitioners apprehend arrest and prays for granting anticipatory bail.

4. On the other hand, the learned CPP submits there was political dispute between the defacto complainant and petitioners' side. The defacto complainant gave a police complaint in this regard. On the same day, the petitioners and others assaulted the defacto complainant and his relatives with wooden log.

5. Dispute between two political groups. Except 506(ii) IPC, other offences are bailable. Counter case was also registered against the defacto complainant herein. Considering all those circumstances, this court is inclined to grant anticipatory bail.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the XV Metropolitan Magistrate, Chennai on condition that the

petitioners shall execute a bond for a sum of Rs.10,000/- each (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 petitioners 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 petitioners shall appear before the respondent police as and when required.

[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 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

Copies to:

1. The XV Metropolitan Magistrate, Chennai.
2. CPP, Chennai.
3. The Inspector of Police, H-1, Washermenpet Police Station, Chennai.

ss

Crl.M.P.No.10976/2021

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Monday, the 28th day of June, 2021.

CrL.M.P.No.10978/2021

in

P-6, Kodungaiyur P.S. Crime No.951/2021

1. Outkalai @ Kucha @ Kalaiyaranan

2. Periyakalai @ Kalaivanan

3. Nirmal @ Nirmalraj

.. Petitioners/Accused

Vs.

State Rep. by

The Inspector of Police,

P-6, Kodungaiyur 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.Saritha, M.Reena and T.Dhanasekaran and CPP for respondent, this Court delivered the following :

ORDER

1. The petitioners, who apprehend arrest by the respondent police for the alleged offences punishable u/s 341, 324, 294(b) and 506(ii) of IPC in Crime No.951/2021 on the file of the respondent police, seek anticipatory bail.

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

3. Learned counsel for the petitioners submits that the petitioners are innocent and they have not committed any offence as alleged. The petitioners apprehend arrest and prays for granting anticipatory bail.

4. On the other hand, the learned CPP submits that there was dispute over pasting of posters, the petitioners assaulted the defacto complainant with beer bottle and caused injury on his head and hand. The petitioners are having one previous case.

5. Dispute over pasting of posters. Except 506(ii) IPC, other offences are bailable. Considering the nature of case, this court is inclined to grant anticipatory bail.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the X Metropolitan Magistrate, Chennai on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- each (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 petitioners 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 petitioners shall appear before the respondent police as and when required.

[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 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

Copies to:

1. The X Metropolitan Magistrate, Chennai.
2. CPP, Chennai.
3. The Inspector of Police, P-6, Kodungaiyur Police Station, Chennai.

SS

Crl.M.P.No.10978/2021

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Thiru R. Selvakumar, B.A., M.L.,
Principal Sessions Judge
Monday, the 28th day of June, 2021.**

CrL.M.P.No.10979/2021

in

E-1, Mylapore P.S. Crime No.833/2021

E.Pravin Kumar

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
E-1, Mylapore 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.M.Govindaraju, T.Vidyasagar, MK.Gauthaman and SMA.Mohammed Faiz Mohideen 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), 323 and 506(i) of IPC in Crime No.833/2021 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 working as Manager in a Trust. When he went to the office for checking the statements, he parked his two-wheeler. The defacto complainant picked up quarrel with him and assaulted him. In order to save him, the petitioner blocked him using his hands. However, an exaggerated complaint has been given. The petitioner apprehends arrest and prays for granting anticipatory bail.

4. On the other hand, the learned CPP submits that the petitioner abused the defacto complainant and threatened him.

5. Dispute over parking of car. Except 506(i) IPC, other offences areailable. No deadly weapon is used. Considering all those 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 his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the XVIII 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 as and when required.

[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/-R.Selvakumar
Principal Sessions Judge

Copies to:

1. The XVIII Metropolitan Magistrate, Chennai.
2. CPP, Chennai.
3. The Inspector of Police, E-1, Mylapore Police Station, Chennai.

SS

Crl.M.P.No.10979/2021

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Monday, the 28th day of June, 2021.

CrI.M.P.No.10980/2021

in

CrI.M.P.No.8396/2021

in

C.A.No.101/2021

in

C.C.No.2388/2016

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

Kingsly Raj,
Proprietor of Madha Industries
at No.2/865, 64th Street,
10th Sector, K.K.Nagar,
Chennai-600078.

....Petitioner/Appellant/Accused

Vs.

A.Kumar

.... Respondent/Respondent/Complainant

This petition is coming on this day before me for hearing in the presence of M/s.A.Punithavanan, Counsel for the Petitioner / Appellant / Accused and upon hearing petitioner's side argument, this Court delivered the following,

ORDER

1. Petitioner seeks extension of time granted in CrI.M.P.No.8396/2021, dt: 23.4.2021.
2. As per the order passed in CrI.M.P.No.8396/2021, dated 23.4.2021 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. As per the affidavit, due to Covid-19, the petitioner could not able to collect money from his business and thus, he could not able to deposit the amount. Hence, he prays for extension of time.
4. The order was passed on 23.4.2021. Considering the lock down, 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.

Sd/-R.Selvakumar

Principal Sessions Judge.

Copt to:

1. The Metropolitan Magistrate, FTC-III, Saidapete, Chennai.

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Monday, the 28th day of June, 2021

Crl.M.P.No.10908/2021

in

P-3, Vyasarpadi P.S. Crime No.604/2021

Vijaya

.. Petitioner/Accused

Vs.

State Rep. by

The Inspector of Police,

P-3, Vyasarpadi Police Station,

Chennai.

..Respondent/Complainant

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

ORDER

1. The petitioner, who was arrested on 18.6.2021 for the offences punishable under Section 273, 328 of IPC r/w 24(i) of COPTA 2003 in Crime No.604/2021 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 she has not committed any offence as alleged. The petitioner is in custody from 18.6.2021 and prays for granting bail.

4. On the other hand, the learned CPP submits that the petitioner and another were found in possession of 1000 packets of Maava. The police have recovered the tobacco product along with cash Rs.22470/-

5. No previous case is reported. The petitioner is in custody from 18.6.2021. Considering the nature of case and duration of custody, this court is inclined to grant bail.

6. Accordingly, the petitioner is ordered to be released on bail on her executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a likesum to the satisfaction of the learned X 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 shall appear before the respondent police as and when required.

(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 in the open court.

Sd/-R.Selvakumar

Principal Sessions Judge

Copies to :

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

ss

Crl.M.P.No.10908/2021

IN THE COURT OF SESSIONS AT CHENNAI
Present: Thiru R. Selvakumar, B.A., M.L.,
Principal Sessions Judge
Monday, the 28th day of June, 2021
Crl.M.P.No.10985/2021

in

V-4, Rajamangalam P.S. Crime No.571/2021

Dinakaran

.. 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.S.Venkatachalam, N.Vinodhkumar and Madhavan Counsel for the petitioner and of CPP for the respondent, this Court delivered the following

ORDER

1. The petitioner, who was arrested on 15.6.2021 for the offences punishable under Section 341, 294(b), 323, 336, 397 and 506(ii) of IPC in Crime No.571/2021 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 there was a wordy quarrel between the friends over not giving the motor-cycle. An exaggerated complaint has been given. The police has registered the case against both the parties u/s 397 IPC. The accused is in custody for the past 12 days. In fact, no offence u/s 397 IPC has been committed and prays for bail.

4. On perusal of the C.D., the complaint reads as follows :

"நாங்கள் மது அருந்துவதற்கு வாட்டர் பாட்டில் தேவைப்படவே கோபியிடம் வண்டி கேட்டோம். அவன் தரமறுத்து மேலும் இரண்டு நபர்களை வரவழைத்து எங்களை தகாத வார்த்தையால் திட்டி கையால் அடித்தார்கள். நாங்கள் சத்தம் போடவே நிஜாந்த் மறைத்து வைத்திருந்த கத்தியை எடுத்து காட்டி சத்தம் போட்டால் குத்தி கொலை செய்து விடுவேன் என மிரட்டி எனக்கு தலையில் இரத்த காயம் ஏற்படுத்தியபோது கோபி எனது பாக்கெட்டிலிருந்து பணம் ரூ.2000/-தை எடுத்துக் கொண்டான்."

So, the contents of the F.I.R. would go to show petty quarrel between two groups. Prima facie, offence u/s 397 IPC deliberately included in this case. Considering the fact that no bad antecedents reported 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 XIII 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 shall appear before the respondent police as and when required.

(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 in the open court.

Sd/-R.Selvakumar

Principal Sessions Judge

Copies to :

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

ss

Crl.M.P.No.10985/2021

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Monday, the 28th day of June, 2021

Crl.M.P.No.10989/2021

in

D-5, Marina P.S. Crime No.570/2021

1. Geedhan
2. Johnson
3. Karthick
4. Akbar Ali @ Abu

.. Petitioners/Accused

Vs.

State Rep. by
The Inspector of Police,
D-5, Marina Police Station,
Chennai.

..Respondent/Complainant

This petition is coming on this day before me for hearing, upon hearing M/s.T.V.Somasundaram, U.Yuvaraj, A.Vinothkumar and P.Praveen Kumar Counsel for the petitioner and of CPP for the respondent, this Court delivered the following

ORDER

1. The petitioners, who were arrested on 22.6.2021 for the offences punishable under Section 285 IPC altered to 147, 148 of IPC and Sec.3 of Explosive Substances Act in Crime No.570/2021 on the file of the respondent police, seek 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 offence. There was some explosion of the petrol bomb in the playground, for which, the petitioners are no way responsible and prays for bail.

4. On perusal of the C.D., it appears some petrol bomb was made and thrown in a playground. During the course of investigation, it came to light that the present petitioners indulged in making of the bomb and throwing the same. The conduct of the petitioners in making petrol bomb would go to show the criminal nature of the petitioners. They are in custody only for the past 6 days. Considering the nature of offence and short duration of custody, this court is not inclined to grant bail.

5. Petition is dismissed.

Delivered by me today in the open court.

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

Monday, the 28th day of June, 2021

Crl.M.P.No.10988/2021

in

P-6, Kodungaiyur P.S. Crime No.820/2021

Karthick

.. Petitioner/Accused

Vs.

State Rep. by

The Inspector of Police,

P-6, Kodungaiyur Police Station,

Chennai.

..Respondent/Complainant

This petition is coming on this day before me for hearing, upon hearing M/s.K.Devaraj, K.Subash, S.Kaviarasu and P.Pemkumar Counsel for the petitioner and of CPP for the respondent, this Court delivered the following

ORDER

1. The petitioner, who was arrested on 11.6.2021 for the offences punishable under Section 341, 294(b), 394, 427, 397 and 506(ii) of IPC in Crime No.820/2021 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 in custody from 11.6.2021. He is not having any bad antecedents. He is aged about 19 and prays for bail.

4. On the other hand, the learned CPP submits that there was injury inflicted on the victim. He had sustained injuries in the hand and objects granting bail.

5. On perusal of the C.D., while snatching the mobile phone from the victim Pravanchan, aged 16, he has been assaulted with knife by one Ganesh. The present petitioner accompanied the other accused. Anyhow, the petitioner is in custody for more than 17 days. He is aged 19 and not having any bad antecedents. There are chances for reformation. Considering all those circumstances, 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 X 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 shall appear before the respondent police as and when required.

(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 in the open court.

Sd/-R.Selvakumar

Principal Sessions Judge

Copies to :

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

ss

CrI.M.P.No.10988/2021

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Thiru R. Selvakumar, B.A., M.L.,
Principal Sessions Judge
Monday, the 28th day of June, 2021.**

CrI.M.P.No.10916/2021

and

CrI.M.P.No.11037/2021

(Intervene Petition)

in

W-6, A.W. P.S. Crime No.4/2021

Chella Durai

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
W-6, Aynavaram All Women 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.T.Santhosh, S.Mohan Raj and V.Vinodha and CPP for respondent and M/s.V.Panjalirajan, Counsel for the intervener, this Court delivered the following :

ORDER

1. The petitioner, who apprehends arrest by the respondent police for the alleged offences punishable u/s 417 and 506(ii) of IPC in Crime No.4/2021 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 developed friendship with the defacto complainant through Facebook. There was consensual sexual relationship. Since the petitioner is about to marry some other girl, an exaggerated false complaint has been given as if they have sexual relationship on the basis of the false promise given by the petitioner. Further, the defacto complainant is aged about 40 and having two children. The petitioner is aged 20 and he is a police constable. There is no chance for giving false promise of marrying the woman, aged about 40. So, in all probabilities, the affair is in consensual. There is no compulsion or false promise as alleged in the complaint. Further, there is no chance for absconding. He is ready to co-operate with the investigation and prays for granting anticipatory bail.

4. On the other hand, the learned CPP and the learned counsel appearing for the intervenor submit that the defacto complainant is a deserted woman, having children. She

has been made to believe that the petitioner would marry her. On such promise, they had physical relationship. In fact, they went to several places, including the house of the petitioner and had sexual intercourse. Now, the petitioner tried to cheat the defacto complainant without marrying her. In fact, he had given threat to the defacto complainant as if he would register a prostitution case against her. It is a serious offence against woman and seriously objects granting anticipatory bail.

5. On perusal of the C.D., it appears the defacto complainant is aged about 40. No doubt, some photographs are available in the C.D. to show the nexus between them. The petitioner admits the relationship with the defacto complainant. But, according to him, it is a consensual relationship. Further, there is no threat as alleged by the defacto complainant. Except the testimony of the defacto complainant and accused, no other piece of evidence can be expected in this case. The complaint running to several pages in all probabilities drafted with the assistance of the legal brain. Even in which, it has been stated as follows :

“என்னை கட்டாயமாக திருமணம் செய்து கொள்வேன் என்றும், என்னை நன்றாக பார்த்துக் கொள்வேன் என்றும், உன் பிள்ளைகளை பார்த்துக் கொள்கிறேன் என்றும் என்னிடத்தில் வாக்கு கொடுத்தார். இவர் சொன்னதை நம்பி நானும் ஏற்கனவே பல ஆண்டுகள் கணவனை பிரிந்து இருந்ததால் மேலும் செல்லத்துரையின் ஆறுதலான வார்த்தைகளை நம்பி துணையாக இருப்பார் என்று நம்பி நானும் அவருடன் பழகி வந்தேன். மேலும் என்னை தனிமையில் அழைத்து சென்று என்னிடம் பலவந்தமாக உடலுறவு கொண்டார். அதன் பிறகு நாங்கள் கணவன் மனைவியாக வெளியில் எல்லா இடங்களுக்கும் சென்று வந்தோம். அடிக்கடி அவர் என்னை அவர் வீட்டிற்கு அழைத்து சென்று அங்கேயும் என்னிடம் வலுக்கட்டாயமாக உடலுறவு வைத்து கொள்வார். . . . செல்லத்துறை மீது வைத்த முழு நம்பிக்கையின் பேரில் நாங்கள் ஒன்றாக வெளியூர்களுக்கு எல்லாம் கணவன் மனைவியாக சென்று வந்திருக்கிறோம். நாங்கள் கடந்த 29.4.2018ம் தேதி திருவண்ணாமலை கோவிலுக்கு சென்றுவிட்டு அங்கேயே உள்ள

பூர்வெங்கடேஸ்வரா வாட்ஜில் ரும் எடுத்து தங்கினோம். மீண்டும் கடந்த 30.6.2019ம் தேதி கேரளா மாநிலத்தில் ஆலபுழா மாவட்டத்திற்கு சென்று அங்கு படகு வீட்டில் உல்லாசமாக இருந்தோம். எனவே, என்னை திருமணம் செய்வதாக வாக்கு கொடுத்து என்னிடத்தில் உடலுறவு கொண்டு மேலும் என் பணத்தில் உல்லாசமாக என்னுடன் ஊரை சுற்றிவிட்டு தற்பொழுது தன்னுடன் பணி செய்யும் வேறொரு பெண்ணை காதலிப்பதாகவும், அவரைத்தான் திருமணம் செய்து கொள்ள போவதாகவும், மேலும் நான் இனிமேல் தொந்தரவு செய்தால் தரக்குறைவான வார்த்தைகளால் திட்டி கூலிப்படை வைத்து கொலை செய்துவிடுவதாகவும் மற்றும் உயர் அதிகாரிகளின் உதவியுடன் என் மீது பொய் வழக்கு போட்டு விபசார வழக்கில் சிக்க வைத்துவிடுவதாகவும் கூறி என்னை மிரட்டிய."

6. So, from the narration of the complaint itself would go to show that the defacto complainant is a willing partner of all the act of the petition. Since, there was misunderstanding due to the proposed marriage of the petitioner, the conflict arose between the parties. The offence u/s 417 IPC is bailable. The essential ingredients for making out of case u/s 506(ii) IPC is lacking. Considering all those circumstances, this court is inclined to grant anticipatory bail.

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

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

[b] the petitioner shall appear before the respondent police as and when required.

[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/-R.Selvakumar
Principal Sessions Judge

Copies to:

1. The Metropolitan Magistrate, Additional Mahila Court, Chennai.
2. CPP, Chennai.
3. The Inspector of Police, W-6, All Women Police Station, Aynavaram, Chennai.

SS

Crl.M.P.No.10916/2021

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Monday, the 28th day of June, 2021.

Cr.L.M.P.No.10946/2021

in

H-1, Washermenpet P.S. Crime No.1924/2021

1. Saiyaduzzama @ Saiyad Samaan

2. Qamruzzama

.. Petitioners/Accused

Vs.

State Rep. by

The Inspector of Police,

H-1, Washermenpet 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.M.Illiyas and A.Venkateswara Babu and CPP for respondent, this Court delivered the following :

ORDER

1. The petitioners, who apprehend arrest by the respondent police for the alleged offences punishable u/s 294(b), 323, 324 and 506(ii) of IPC in Crime No.1924/2021 on the file of the respondent police, seek anticipatory bail.

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

3. Learned counsel for the petitioners submits that the wordy quarrel has been exaggerate into a complaint. Except 506(ii) IPC, other offences areailable and thus, he prays for granting anticipatory bail.

4. On the other hand, the learned CPP submits that the defacto complainant is an Advocate. He has been assaulted and objects granting anticipatory bail. He also submits the C.D. for perusal.

5. On perusal of the C.D., it appears there is a counter case in Cr.No.1947/2021 against the defacto complainant herein. On reading the complaint, in this case, there is no specific motive for the occurrence. The motive alleged in the complaint appears to be flimsy, not disclosing the real facts. Considering the fact that there is a counter case and except 506(ii) IPC, other offences areailable, this court is inclined to grant anticipatory bail.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the XV Metropolitan Magistrate, Chennai on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- each (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 petitioners 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 petitioners shall appear before the respondent police as and when required.

[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 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

Copies to:

1. The XV Metropolitan Magistrate, Chennai.
2. CPP, Chennai.
3. The Inspector of Police, H-1, Washermenpet Police Station, Chennai.

ss

Crl.M.P.No.10946/2021

IN THE COURT OF SESSIONS AT CHENNAI
Present: **Thiru.R.Selvakumar, B.A., M.L.,**
Principal Sessions Judge
Monday, the 28th day of June, 2021.

Crl.M.P.No.10984/2021

in

Crl.R.C.No.47/2021

against

M.P.No.4/2021

in

R.C.No.24/Sec.Pro/DCP Adyar District/2021

Prasanth

... Petitioner / Petitioner / Respondent /
Accused

Vs.

1. The Executive Magistrate cum Deputy Commissioner
of Police, Adyar District,
Chennai.

2. The Inspector of Police, (Law & Order)
J-5, Sastri Nagar Police Station,
Chennai.

Respondents/Respondents/Petitioners/

..

Complainant

This petition is coming on this day before me for hearing, upon hearing the counsel for the petitioner M/s.J.William Shakesphere and V.Ravi and upon perusing the records, this Court delivered the following:

ORDER

1. The petitioner in the above case seeks suspension of sentence pending disposal of the revision petition.

2. The counsel for the petitioner was heard through Video Conference.

3. The Petitioner herein is the accused in M.P.No.4/2021 in R.C.No.24/Sec.Pro/DCP Adyar District/2021 on the file of the 1st respondent and he was convicted and sentenced to undergo imprisonment for 322 days for violation of bond executed u/s 110 of Cr.P.C. as per the order dated 29.4.2021.

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

5. This Court has also perused the revision petition and the submission made by the petitioner's counsel. The revision has been preferred without any delay.

6. The learned counsel for the petitioner would further submit that the accused will not abscond and would be available to undergo the sentence, if the appellate Court confirms the order passed by the Executive Magistrate. As already stated supra, the Petitioner / Accused was ordered to undergo imprisonment for a period of 322 days and in these circumstances, it may not be right to hold that the petitioner has to serve the sentence during the pendency of the revision.

7. Hence, the order passed by the 1st respondent / Executive Magistrate is hereby stayed till the disposal of the revision and the petitioner is ordered to be enlarged on bail on his executing a bond for Rs.10,000/- with two sureties each for a likesum to the satisfaction of the IX Metropolitan Magistrate, Chennai.

8. The Revision is made over to II Additional Sessions Court, Chennai.

9. The Revision is posted on 28.7.2021.

Delivered by me today in the open court.

Sd/-R.Selvakumar

Principal Sessions Judge.

Copy to :

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

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