

IN THE COURT OF SESSIONS AT CHENNAI

**Present : Tmt.S.Alli, M.L.,
Principal Sessions Judge.**

Monday, the 24th day of July, 2023.

Crl.M.P.No.17121/2023

in

N-3, Muthialpet P.S. Crime No.61/2023

Jahid

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
N-3, Muthialpet Police Station,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s.D.Chandrasekar, B.Rakeshkumar and G.Jayakumar, 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 3 & 3(A) r/w 14(1) & 14(1A) of Child Labour and Adolescent Labour (Prohibition & Regulation) Act, 1986, Sec 75 and 79 of Juvenile Justice (Care and Protection of Children) Act, 2015 and Sec.16, 17 and 18 of Bonded Labour System Abolition Act,1976 and Sec.374 and 370(5) of IPC in Crime No.61/2023 on the file of the respondent police, seeks anticipatory bail.

2. The learned counsel for the petitioner submits that it is alleged that the complaint has been lodged by Tahsildar against one Aalia Bags alleging that they found that the Aaliya Bags engaged labours between the age group of 8 to 17 years old boys and they all belongs to Bihar. He further submits that the main accused was arrested and released on bail. The petitioner is the younger brother of the 1st accused. He has no connection with the above case. He has never involved in any criminal case. The petitioner came to Chennai for livelihood. He is working as labour in a shop situated at Mannady. He has no previous case. The petitioner apprehends arrest at the hands of the respondent police. Hence, he may be granted anticipatory bail.

3. On the other hand, the learned CPP submits that the petitioner is native of Bihar. The petitioner along with other accused procured the children aged below 17 years for bonded labour and engaged and compelled them to work for 15 hours per day in a Bag manufacturing company. The petitioner is the main accused, who has brought the children

from Bihar. Totally 29 victims were rescued and sent to Government Home. Arrest of the petitioner is necessary for custodial interrogation. Hence, strongly opposed the petition.

4. It is alleged that the petitioner along with other accused engaged the children aged between 8 to 17 years to work as bonded labour in Aaliya Bags company. The children were compelled to work for more than 15 hours per day. The defacto complainant, who is the Tahsildar of Purasawalkam Taluk, rescued 29 children and sent them to Government Home. According to the prosecution, arrest of the petitioner is necessary for custodial interrogation. Considering the gravity of offence and strong objection raised by the prosecution, this court is not inclined to grant anticipatory bail.

5. Petition is dismissed.

Delivered by me today in open court.

ss

Principal Sessions Judge

IN THE COURT OF SESSIONS AT CHENNAI

**Present : Tmt.S.Alli, M.L.,
Principal Sessions Judge.**

Monday, the 24th day of July, 2023.

Crl.M.P.No.17390/2023

in

J-6, Thiruvanmiyur P.S. Crime No.145/2023

S.Muniyamma

.. 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 in the presence of M/s.N.Senthilkumar, R.Girija, C.Chandrasekaran, J.Manikandan and J.Mercy, 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 147, 148, 342, 294(b), 323, 307 and 506(ii) of IPC in Crime No.145/2023 on the file of the respondent police, seeks anticipatory bail.

2. The learned counsel for the petitioner submits that it is alleged that the petitioner along with others trespassed into the residence of defacto complainant and assaulted her son with knife and caused injuries to him. He further submits that the complaint has been lodged only due to previous enmity. The petitioner is innocent. The petitioner and defacto complainant are neighbours. No allegation against the petitioner in the complaint. The petitioner apprehends arrest at the hands of the respondent police. Hence, she may be granted anticipatory bail.

3. On the other hand, the learned CPP submits that the petitioner is A6. Due to previous enmity, the petitioner along with other accused assaulted the defacto complainant and her son with knife. The injured were admitted in the hospital for two days and thereafter, discharged. One knife and a two-wheeler were recovered. The petitioner has no previous case.

4. Dispute between neighbours. Injured has been discharged from the hospital. No bad antecedents reported against the petitioner. Considering the nature of case, this court is inclined to grant anticipatory bail.

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of this order, before the 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 daily at 10.00 a.m. until further orders.

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

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

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

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

Delivered by me today in open court.

Principal Sessions Judge

Copies to:

1. The XVIII Metropolitan Magistrate, Chennai.
2. CPP, Chennai.
3. The Inspector of Police, J-6, Thiruvanmiyur Police Station, Chennai.

SS

Crl.M.P.No.17390/2023

IN THE COURT OF SESSIONS AT CHENNAI

**Present : Tmt.S.Alli, M.L.,
Principal Sessions Judge.**

Monday, the 24th day of July, 2023.

Crl.M.P.No.17391/2023

in

K-1, Sembium P.S. Crime No.1187/2021

Jena @ Jana

.. Petitioner/Accused

Vs.

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

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s.B.J.Santhosh Kumar, B.L.Sankar, R.Ranjith Kannan and D.Raj Kumar, Counsel for the petitioner and of CPP for respondent and upon hearing both sides, this Court delivered the following,

ORDER

1. The petitioner, who apprehends arrest by the respondent police for the alleged offences punishable u/s 341, 294(b), 324, 307 and 506(ii) of IPC in Crime No.1187/2021 on the file of the respondent police, seeks anticipatory bail.

2. The learned counsel for the petitioner submits that it is alleged that due to previous enmity, the petitioner along with other accused assaulted the defacto complainant using knife. He further submits that the petitioner is innocent and he has not involved in the offence. Co-accused were granted bail by this court. The petitioner apprehends arrest at the hands of the respondent police. Hence, the petitioner may be granted anticipatory bail.

3. On the other hand, the learned CPP submits that due to previous enmity, the petitioner along with other accused abused the defacto complainant and assaulted him with knife and wooden log. The injured was admitted in the hospital for one day and thereafter, discharged. The petitioner has no previous case.

4. Injured has been discharged from the hospital. No previous case reported. Co-accused were already released on bail. Considering the nature of case, this court is inclined to grant anticipatory bail.

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of this order, before the V 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 10.00 a.m. until further orders.

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

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

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

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

Delivered by me today in open court.

Principal Sessions Judge

Copies to:

1. The V Metropolitan Magistrate, Chennai.
2. CPP, Chennai.
3. The Inspector of Police, K-1, Sembium Police Station, Chennai.

SS

Crl.M.P.No.17391/2023

IN THE COURT OF SESSIONS AT CHENNAI

**Present : Tmt.S.Alli, M.L.,
Principal Sessions Judge.**

Monday, the 24th day of July, 2023.

Crl.M.P.No.17392/2023

in

CCB-1 Crime No.40/2023

Shanmugasundaram

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
CCB-1, Team XI,
Bank Fraud Investigation Wing,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s.S.Sasikumar, 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 120(B), 420, 465, 467, 468 and 471 of IPC in Crime No.40/2023 on the file of the respondent police, seeks anticipatory bail.

2. The learned counsel for the petitioner submits that it is alleged that one Guru, who is arrayed as first accused in this case, availed housing and construction loan to the tune of Rs.1,80,00,000/- and he failed to repay the same. It is further alleged that one Sendhilynathan claiming the ownership of the very same property and he wrote letter along with proceedings of the District Registrar, Chennai. The alleged settlement deed is declared as forged on. Based on the fraudulent settlement deed, the said Guru availed a housing loan from the bank. He further submits that one Rajkumar executed a Power of Attorney in favour of the petitioner and on the basis of the POA, the petitioner executed a sale deed in favour of one Madhaiyan & Sakthivel for Plot No.15 part and the said Madhaiyan approached the bank loan and the loan amount was disbursed into the account of Madhaiyan and subsequently the loan amount was transferred to the bank account of A1. He further submits that originally, the above said Guru availed loan and the entire loan amount was deposited into the account of A1. He is the sole beneficiary in this matter. The petitioner is not the beneficiary. The rival claimant, namely, Sendhilynathan acquired the schedule property by way of koorchit and the settlement executed by his father. The petitioner

preferred appeal against the exparte order of District Registrar, Chennai before the Deputy Inspector General of Registration, Chennai and the same is pending. During pendency of the appeal, the complainant without verifying the fact, lodged a complaint against the petitioner. The petitioner apprehends arrest at the hands of the respondent police. He is ready to deposit the amount before the court. Hence, he may be granted anticipatory bail.

3. On the other hand, the learned CPP submits that the complaint was lodged by the Chief Manager of S.B.I. Bank, Egmore, Chennai. It is alleged that one Guru availed housing loan of Rs.1.80 crores for purchasing plots at Kolathur, Chennai from one Madhaiyan and Sakthivel and also produced documents for the same. The said loan was sanctioned and a sum of Rs.1.40 crore was disbursed. Since the EMI was not paid, the said loan was termed as NPA. On verification of the documents, it came to light that the documents produced by the said Guru are all fake and the loan amount was diverted to the company account of Guru and other's account. He further submits that the petitioner along with other accused joined together and created fake Power of Attorney for the property situated at Kolathur, Chennai and thereafter, obtained loan from the defacto complainant. The amount has been shared by the accused. The petitioner herein has received Rs.5 lakhs as commission and investigation is pending.

4. It is alleged that the petitioner along with other accused created bogus power of attorney and obtained loan from the defacto complainant for purchasing the said property by the accused Guru. As far as the petitioner is concerned, he has received Rs.5,00,000/- as his commission. The learned counsel for the petitioner submits that the petitioner is ready to deposit the amount. Considering the nature of case and the submission of the learned counsel for the petitioner, 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 his appearance, within a period of fifteen days from the date of this order, before the CCB and CBCID 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] Petitioner shall also deposit a sum of Rs.2,50,000/- (Rupees Two Lakhs Fifty Thousand only) to the credit of the Crime No.40/2023 before the said court and the final order in respect of the amount will be passed at the end of the criminal proceedings by the trial court.

(c) the petitioner shall appear before the respondent police daily at 10.00 a.m. until further orders.

[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 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 in open court.

Principal Sessions Judge

Copies to:

1. The CCB and CBCID Metropolitan Magistrate, Chennai.
2. CPP, Chennai.
3. The Inspector of Police, CCB-I, Team-XI,
Bank Fraud Investigation Wing, Chennai.

SS

CrI.M.P.No.17392/2023

IN THE COURT OF SESSIONS AT CHENNAI

**Present : Tmt.S.Alli, M.L.,
Principal Sessions Judge.**

Monday, the 24th day of July, 2023.

Crl.M.P.No.17393/2023

in

R-6, Kumaran Nagar P.S. Crime No.229/2023

Kumaravel

.. 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 in the presence of M/s.M.G.Mathivanan, D.Prasad and C.Ravi, 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), 353 and 506(i) of IPC in Crime No.229/2023 on the file of the respondent police, seeks anticipatory bail.

2. The learned counsel for the petitioner submits that there was a wordy quarrel between the petitioner and defacto complainant regarding E.B. lining problem. The petitioner is suffering from brain problem and nerves problem and he did bypass surgery in the year 2019. The petitioner apprehends arrest at the hands of the respondent police. Hence, he may be granted anticipatory bail.

3. On the other hand, the learned CPP submits that the petitioner assaulted the official of Electricity Board and threatened with dire consequences. The petitioner has no previous case.

4. No serious injury reported. The petitioner has no previous case. Considering the nature of case, this court is inclined to grant anticipatory bail.

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

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

[b] the petitioner shall appear before the respondent police daily at 10.00 a.m. until further orders.

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

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

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

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

Delivered by me today in open court.

Principal Sessions Judge

Copies to:

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

SS

Crl.M.P.No.17393/2023

IN THE COURT OF SESSIONS AT CHENNAI

**Present : Tmt.S.Alli, M.L.,
Principal Sessions Judge.**

Monday, the 24th day of July, 2023.

Crl.M.P.No.17395/2023

in

N-2, Kasimedu P.S. Crime No.6/2023

Pradeep @ Meen Pradeep

.. Petitioner/Accused

Vs.

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

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s.M.Nithyavel and G.Kameshwaran, 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 147, 341, 294(b), 323, 307 and 506(ii) of IPC in Crime No.6/2023 on the file of the respondent police, seeks anticipatory bail.

2. The learned counsel for the petitioner submits that it is alleged that the petitioner along with others waylaid the defacto complainant and assaulted him with knife. He further submits that the petitioner is innocent and he had not committed any offence as alleged. The petitioner apprehends arrest at the hands of the respondent police. Hence, he may be granted anticipatory bail.

3. On the other hand, the learned CPP submits that the petitioner along with other accused waylaid the defacto complainant and others and assaulted them with knife. The injured was admitted in the hospital for three days and thereafter discharged. The petitioner has no previous case.

4. Injured has been discharged from the hospital. No previous case reported. Considering the nature of case, this court is inclined to grant anticipatory bail.

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of this order, before the XVI 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 10.00 a.m. until further orders.

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

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

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

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

Delivered by me today in open court.

Principal Sessions Judge

Copies to:

1. The XVI Metropolitan Magistrate, Chennai.
2. CPP, Chennai.
3. The Inspector of Police, N-2, Kasimedu Police Station, Chennai.

SS

Crl.M.P.No.17395/2023

IN THE COURT OF SESSIONS AT CHENNAI

**Present : Tmt.S.Alli, M.L.,
Principal Sessions Judge.**

Monday, the 24th day of July, 2023.

Crl.M.P.Nos.17396, 17398 and 17399/2023

in

W-18, A.W. P.S. Crime No.8/2023

Mahalakshmi

.. Petitioner in

Crl.M.P.No.17396/2023 / Accused No.4

1. Noorjahan

2. Nijamudheen

.. Petitioners in

Crl.M.P.No.17398/2023/Accused No.5&6

1. Naina Mohamed

2. Ramjan Beevi

.. Petitioners in

Crl.M.P.No.17399/2023/Accused No.2&3

Vs.

State Rep. by

The Inspector of Police,

W-18, All Women Police Station,

M.K.B.Nagar,

Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s.M.Ahmed Fazil, Counsel for the petitioner in Crl.M.P.No.17396/2023 and of M/s.A.Raja Mohammed, Counsel for the petitioners in Crl.M.P.No.17398/2023 and of M/s.J.titus Enock, Counsel for the petitioners in Crl.M.P.No.17399/2023 and of CPP for respondent and upon hearing both sides, this Court delivered the following,

COMMON ORDER

1. The petitioners, who apprehend arrest by the respondent police for the alleged offences punishable u/s 294(b), 498(A), 406, 494, 326 and 506(ii) of IPC in Crime No.8/2023 on the file of the respondent police, seek anticipatory bail.

2. The learned counsel for the petitioner in Crl.M.P.No.17396/2023 submits that the petitioner is first wife of the 1st accused. However, she has been falsely stated as 2nd wife. On 23.6.2019, the 1st accused married the petitioner as per Muslim rites and customs. The petitioner and 1st accused have two children by name N.Mohamed Saayan born on 19.11.2020 and N.Saysha Ramzan, born on 6.6.2022. The petitioner is innocent and she has been falsely implicated in this case. The petitioner apprehends arrest at the hands of the respondent police. Hence, the petitioner may be granted anticipatory bail.

3. The learned counsel for the petitioner in Crl.M.P.No.17398/2023 submits that the petitioners are brother-in-law and sister-in-law of the defacto complainant. There is no joint

family. The petitioners are living far away from the defacto complainant's house. They were not aware about the second marriage of the husband of the defacto complainant. The petitioners apprehend arrest at the hands of the respondent police. Hence, they may be granted anticipatory bail.

5. The learned counsel for the petitioners in CrI.M.P.No.17399/2023 would submit that the petitioners are father-in-law and mother-in-law. They are living far away from the defacto complainant. They have nothing to do with the alleged offence. They are apprehending arrest at the hands of the respondent police. Hence, the petitioners may be granted anticipatory bail.

6. On the other hand, the learned CPP submits that the 1st accused, who is the husband of the defacto complainant, married the petitioner in CrI.M.P.No.17396/2023 second time, while the first marriage was subsisting. At the time of marriage, between the defacto complainant and 1st accused, Rs.20 lakhs cash and 100 sovereign jewels were given to her. The 1st accused took 50 sovereign jewels without the knowledge of the defacto complainant. He gave cooldrinks mixed with some substance and aborted the child of the defacto complainant. The petitioners herein joined together with A1 and abused her. Thereafter, the 1st accused with the help of the present petitioners married another girl by name Mahalakshmi, petitioner in CrI.M.P.No.17396/2023. Investigation is pending, hence, strongly opposed the petitions.

4. It is alleged that the petitioners along with A1, who is the husband of the defacto complainant abused her and also aborted her child. On perusal of the complaint and FIR, it is seen that serious allegations have been made against the accused. Further, A1 married another girl while the first marriage with defacto complainant was subsisting. Considering the nature of allegations and stage of the investigation, this court is not inclined to grant anticipatory bail.

5. Petitions artet dismissed.

Delivered by me today in open court.

IN THE COURT OF SESSIONS AT CHENNAI

**Present : Tmt.S.Alli, M.L.,
Principal Sessions Judge.**

Monday, the 24th day of July, 2023.

Crl.M.P.No.17397/2023

in

P-6, Kodungaiyur P.S. Crime No.369/2023

1. Vinoth
2. Saravanan
3. Bharath @ Bharath Raj
4. Moorthi
5. Prabha @ Prabhakaran

.. 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 in the presence of M/s.P.Muthamizh Selvakumar, A.Easki Pandey, S.Ramesh Kumar and M.Jithendran, Counsel for the petitioners and of CPP for respondent and upon hearing both sides, 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), 323, 324 and 506(ii) of IPC in Crime No.369/2023 on the file of the respondent police, seek anticipatory bail.

2. The learned counsel for the petitioners submits that it is alleged that petitioners picked up quarrel with the defacto complainant and assaulted with each other. He further submits that the petitioners are no way connected with the alleged offences. They are apprehending arrest at the hands of the respondent police. Hence, the petitioners may be granted anticipatory bail.

3. On the other hand, the learned CPP submits that the petitioners assaulted the defacto complainant and others with wooden log and hands. The injured has been treated as outpatient. The 1st and 4th petitioners have one previous case and others have no previous case.

4. No serious injury reported. Injured has been treated as outpatient. Except 506(ii) IPC, other offences are bailable. Considering the nature of case, this court is inclined to grant anticipatory bail.

5. 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 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 daily at 10.00 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 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 in open court.

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.17397/2023

IN THE COURT OF SESSIONS AT CHENNAI

**Present : Tmt.S.Alli, M.L.,
Principal Sessions Judge.**

Monday, the 24th day of July, 2023.

Crl.M.P.No.17400/2023

in

H-1, Washermenpet P.S. Crime No.272/2023

Nelson Rogers

.. Petitioner/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 in the presence of M/s.Roshan Kumar, Counsel for the petitioner and of CPP for respondent and upon hearing both sides, this Court delivered the following,

ORDER

1. The petitioner, who apprehends arrest by the respondent police for the alleged offences punishable u/s 399 and 402 of IPC in Crime No.272/2023 on the file of the respondent police, seeks anticipatory bail.

2. The learned counsel for the petitioner submits that it is alleged that the petitioner and others indulged in preparation of committing dacoity. He further submits that the petitioner is innocent and he has not committed any offence as alleged. The petitioner apprehends arrest at the hands of the respondent police. Hence, the petitioner may be granted anticipatory bail.

3. On the other hand, the learned CPP submits that the petitioner along with other accused were preparing to commit dacoity. Arrest of the petitioner is necessary for custodial interrogation. Hence, strongly opposed the petition.

4. It is alleged that the petitioner along with other accused were preparing to commit dacoity. According to the prosecution, arrest of the petitioner is necessary for custodial interrogation. Considering the nature of offence and strong objection raised by the learned CPP, this court is not inclined to grant anticipatory bail.

5. Petition is dismissed.

Delivered by me today in open court.

ss

Principal Sessions Judge

IN THE COURT OF SESSIONS AT CHENNAI

**Present : Tmt.S.Alli, M.L.,
Principal Sessions Judge.**

Monday, the 24th day of July, 2023.

Crl.M.P.No.17402/2023

in

B-2, Esplanade P.S. Crime No.64/2020

Sakthivel

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
B-2, Esplanade Police Station,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s.C.Samivel, K.Anusuya, K.Nickitha and R.Keerthika, 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 465, 468 and 420 of IPC in Crime No.64/2020 on the file of the respondent police, seeks anticipatory bail.

2. The learned counsel for the petitioner submits that it is alleged that the petitioner and his wife approached the defacto complainant and borrowed Rs.3,10,000/- towards sale consideration for selling the property of the petitioner. Further it is alleged that the petitioner handed over he original documents and promised to execute a sale deed in few days and on 21.5.2019, they have lodged the complaint as if the original documents were lost and non-traceable certificate was also issued and subsequently, the petitioner executed power of attorney to one Kannaiyeram. He further submits that the petitioner never entered into any agreement with the defacto complainant regarding the sale of the above property. Even in the complaint, it was not stated that any sale agreement was entered. The petitioner had lost the original documents and lodged complaint, after investigation, non-traceable certificate was issued. After the above complaint only, the petitioner came to know that the original documents were under the custody of the defacto complainant. The complaint was lodged after 8 years. The Hon'ble High Court while granting anticipatory bail to the petitioner clearly stated that civil suit is pending. The petitioner lodged the complaint in 2019 itself that the document was missing. The petitioner apprehends arrest at the hands of the respondent police. Hence, the petitioner may be granted anticipatory bail.

3. On the other hand, the learned CPP submits that totally two accused in this case and the petitioner is A1. A2, wife of the petitioner was granted anticipatory bail by the Hon'ble High Court. The petitioner and A2 received Rs.3,10,000/- on 20.2.2012 and agreed to sell their property and also handed over the original documents to the defacto complainant. Later, they lodged the complaint as if the documents were lost and obtained non-traceable certificate and after getting the copy of the documents from the SRO, the 2nd accused gave settlement deed in favour of her husband, the petitioner herein and thereafter, he gave Power of attorney deed to one Kannayiram in order to cheat the defacto complainant.

4. The present complaint was lodged on 21.2.2010. It is alleged the petitioner and his wife received Rs.3,10,000/- from the defacto complainant and handed over the original documents agreeing to sell the said property to the defacto complainant. According to the petitioner, he has lodged the complaint for missing of documents on 21.5.2019 and they have not entered into any sale agreement with the defacto complainant. Already civil suit is pending. Co-accused has been granted anticipatory bail by the Hon'ble High Court. Considering all those circumstances, 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 his appearance, within a period of fifteen days from the date of this order, before the VII Metropolitan Magistrate, Chennai on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a likesum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that

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

[b] the petitioner shall appear before the respondent police daily at 10.00 a.m. until further orders.

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

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

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

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

Delivered by me today in open court.

Principal Sessions Judge

Copies to:

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

SS

Crl.M.P.No.17402/2023

IN THE COURT OF SESSIONS AT CHENNAI

**Present : Tmt.S.Alli, M.L.,
Principal Sessions Judge.**

Monday, the 24th day of July, 2023.

Crl.M.P.No.17403/2023

in

W-19, A.W. P.S. Crime No.10/2023

Robert Lenin Charles

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
W-19, All Women Police Station,
Adyar,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s.Annamma.K., R.Kamesh Kumar and M.Priyanga, 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 498(A), 406 and 506(i) of IPC in Crime No.10/2023 on the file of the respondent police, seeks anticipatory bail.

2. The learned counsel for the petitioner submits that the marriage between the petitioner and defacto complainant was solemnized on 18.4.2021. The marriage life was happy for a short time only. She is very cruel. She gave a complaint before the respondent police and enquiry was conducted. She asked for the jewels and household articles. The petitioner does not have key of the bureau. The petitioner filed divorce O.P. before the Family Court. Now, the present complaint has been lodged. The petitioner is ready to handover the jewels and articles. In fact, his jewels are with the defacto complainant. The petitioner apprehends arrest at the hands of the respondent police. Hence, he may be granted anticipatory bail.

3. On the other hand, the learned CPP submits that the petitioner is A1. After marriage the petitioner has not taken care of the defacto complainant while she fell ill. He also harassed the defacto complainant mentally demanding more dowry. The petitioner without giving the articles and jewels compelled the defacto complainant for mutual divorce. Hence, the complaint.

4. Matrimonial dispute between the parties. Already divorce OP has been filed. The petitioner is ready to return the articles and jewels belonging to the defacto complainant. Considering the nature of dispute, 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 his appearance, within a period of fifteen days from the date of this order, before the IV 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 10.00 a.m. until further orders.

[c] the petitioner shall return all the articles and jewels belonging to the defacto complainant within a period of 15 days from the date of order.

[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 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 in open court.

Principal Sessions Judge

Copies to:

1. The IV Metropolitan Magistrate, Chennai.
2. CPP, Chennai.
3. The Inspector of Police, W-19, All Women Police Station, Adyar, Chennai.

SS

Crl.M.P.No.17403/2023

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge.

Monday, the 24th day of July, 2023.

Crl.M.P.No.17495/2023

in

Crl.M.P.No.13088/2023

in

Crime No.111/2023

Muthu

.. Petitioner/Accused

Vs.

State Rep. by

The Inspector of Police,

J-13, Tharamani Police Station,

Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s.S.Chandrasekar and K.Balasubramani, 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.13088/2023, dt: 13.6.2023.

2. The petitioner was granted bail by this court in Crl.M.P.No.13088/2023, dated 13.6.2023 with condition to appear before the respondent police daily at 10.00 a.m. until further orders.

3. Learned CPP submits that the petitioner has complied the condition for 34 days.

4. The petitioner has complied the condition for 34 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.

ss

Principal Sessions Judge

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge.

Monday, the 24th day of July, 2023.

Crl.M.P.No.17496/2023

in

Crl.M.P.No.13507/2023

in

Crime No.180/2023

H.Ezhilarasan

.. 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 in the presence of M/s.R.Santhosh, R.Rathinavel, R.Gopi and G.Magesh, 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.13507/2023, dt: 19.6.2023.

2. The petitioner was granted anticipatory bail by this court in Crl.M.P.No.13507/2023, dated 19.6.2023 with condition to appear before the respondent police daily at 10.00 a.m. until further orders.

3. Learned CPP submits that the petitioner has complied the condition for 32 days.

4. The petitioner has complied the condition for 32 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.

SS

Principal Sessions Judge

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge.

Monday, the 24th day of July, 2023.

Crl.M.P.No.17497/2023

in

Crl.M.P.No.14190/2023

in

Crime No.3/2023

1. B.S.Rajkumar
2. B.K.Sugumaran

.. Petitioners/Accused

Vs.

State Rep. by
The Inspector of Police,
W-23, All Women Police Station,
Royapettah,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s.A.M.Ilango, 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.14190/2023, dt: 26.6.2023.

2. The petitioners were granted bail by this court in Crl.M.P.No.14190/2023, dated 26.6.2023 with condition to appear before the respondent police daily at 10.00 a.m. until further orders.

3. Learned CPP submits that the petitioners have complied the condition only for 17 days and hence, the petition may be dismissed.

4. The petitioners have complied the condition only for 17 days. Considering the nature of case and the number of days complied, this court is not inclined to relax the condition.

5. Petition is dismissed.

Delivered by me today in open court.

ss

Principal Sessions Judge

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge.

Monday, the 24th day of July, 2023.

Crl.M.P.No.17498/2023

in

Crl.M.P.No.11583/2023

in

Crime No.270/2022

Malarkodi

.. Petitioner/Accused

Vs.

State Rep. by

The Inspector of Police,

CCB, Team 21A, EDF-III,

Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s.S.Devendran and D.Panchatsaram, 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.11583/2023, dt: 24.5.2023.

2. The petitioner was granted bail by this court in Crl.M.P.No.11583/2023, dated 24.5.2023 with condition to appear before the respondent police on every Monday at 10.00 a.m. until further orders.

3. Learned CPP submits that the petitioner has complied the condition only for 8 times and hence, the petition may be dismissed.

4. The petitioner has complied the condition only for 8 times. Considering the nature of case and the number of days complied, this court is not inclined to relax the condition.

5. Petition is dismissed.

Delivered by me today in open court.

ss

Principal Sessions Judge

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge.

Monday, the 24th day of July, 2023.

Crl.M.P.No.17639/2023

in

Crl.M.P.No.12687/2023

in

Crime No.285/2022

V.Balaji

.. Petitioner/Accused

Vs.

State Rep. by

The Inspector of Police,

J-4, Kotturpuram Police Station,

Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s.S.Manikkasiva Subramani, 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.12687/2023, dt: 8.6.2023.

2. The petitioner was granted bail by this court in Crl.M.P.No.12687/2023, dated 8.6.2023 with condition to appear before the learned IX Metropolitan Magistrate, Chennai daily at 10.30 a.m. until further orders.

3. Learned CPP submits that the petitioner has complied the condition only for 25 days and hence, the petition may be dismissed.

4. The petitioner has complied the condition only for 25 days. Considering the nature of case and the number of days complied, this court is not inclined to relax the condition.

5. Petition is dismissed.

Delivered by me today in open court.

ss

Principal Sessions Judge

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge.

Monday, the 24th day of July, 2023

Crl.M.P.No.17630/2023

in

C.A.No.419/2023

in

C.C.No.5317/2019

(on the file of the Metropolitan Magistrate, FTC-II, Egmore @ Allikulam, Chennai)

V.Kathiravan

... Petitioner/Appellant/Accused

Vs.

K.Senthil Murugan

.... Respondent/Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s.M.Thirumaran, Counsel for the petitioner, upon hearing the counsel for the petitioner, 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.5317/2019 on the file of the learned Metropolitan Magistrate, FTC-II, Allikulam, Chennai. On 11.7.2023 judgment was pronounced in the above case and the petitioner was found guilty u/s.138 of N.I. Act he was sentenced to undergo six months Simple Imprisonment and to pay double the cheque amount of Rs.1,00,000/- to the complainant as compensation within 30 days, in default, to undergo two months S.I.

3. Learned counsel for the petitioner would submit that the petitioner was absent on the date of judgment on 11.7.2023 and N.B.W. was issued against them. Thereafter, the present appeal has been filed on 21.7.2023.

4. Admittedly, the petitioner was sentenced to undergo six months Simple Imprisonment and to pay double the cheque amount of Rs.1,00,000/- to the complainant as compensation within 30 days, in default, to undergo two months S.I. for the offence u/s 138 of N.I. Act by the learned Metropolitan Magistrate, FTC-II, Egmore @ Allikulam, Chennai on 11.7.2023. On the date of judgment, the accused were absent and N.B.W. was issued

against him. The learned Metropolitan Magistrate, FTC-II, Egmore @ Allikulam, Chennai, has pronounced the judgment on 11.7.2023 and a conviction warrant has been issued. It is the admitted case of the petitioner / accused that no petition u/s 389(3) Cr.P.C. for suspending the sentence was filed on the behalf of the petitioner / accused on the date of judgment and the sentence cannot be suspended since the convicted accused was not personally present before the trial court. Even today, the petitioner / accused has not come forward to surrender before this court. Once conviction warrant has been issued, the sentence cannot be suspended by the trial court and also the appellate court and the only remedy available to the petitioner / accused is that he has to surrender and sought for bail.

5. For the reasons stated above, this court is of the view that the petition to suspend the sentence has to be dismissed as not maintainable.

6. In the result, the petition is dismissed as not maintainable.

Delivered by me today in open court.

ss

Principal Sessions Judge