

IN THE COURT OF SESSIONS AT CHENNAI

Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Tuesday, the 25th day of July, 2023

CrI.M.P.No. 17617/2023

in

C-1 Flower Bazaar P.S. Crime No. 324/2022

Gnana Karunakaran

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
C-1 Flower Bazaar Police Station,
Chennai.

..Respondent/Complainant.

The above petition is coming on this day before me for hearing in the presence of Mr. S. Sasikumar, Counsel for the petitioner and of CPP for respondent and upon hearing them, this Court delivered the following:

ORDER

1. The petitioner, who was arrested on 13.6.2023 for the offences punishable under Section 406 & 420 IPC in Crime No. 324/2022 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that this petitioner and the defacto complainant are known to each other and the petitioner received cash from him to meet out his financial strain and he failed to repay the same to the complainant. He has not committed any offence as alleged by the prosecution. The petitioner is ready to deposit Rs.2 lakhs. He is in custody from 13.6.2023 and prays for granting bail.

4. On the other hand, learned CPP submits that it is a case of job racketing. This petitioner is A1. A2 is still absconding. This petitioner along with another accused totally collected Rs.18 lakhs from the defacto complainant and two other victims promising them that they will secure Government job at TNPSC. The defacto complainant gave Rs.2,04,800/- to the petitioner through bank transaction. Cheated amount not yet

recovered. A2 is yet to be arrested. Investigation is still going on. Hence, he objects the grant of bail.

5. It is a case of job racketing. The allegation against the petitioner is that he along with his wife /A2 received more than Rs.18 lakhs from the defacto complainant and two other victims under the guise of securing government job at TNPSC. But, after receiving the amount, the accused did not arrange any job for the victims as promised and thus committed cheating. After receiving the amount, the accused did not arrange job as promised and also not returned the money received from the victims and thus committed cheating. The defacto complainant transferred Rs.2,04,800/- to the petitioner through bank transaction. Now, the petitioner voluntarily come forward to deposit Rs.2,00,000/- which was received from the defacto complainant and he may be released on bail. Learned CPP does not raise any serious objection. The petitioner is in custody for the past 43 days. Considering the duration of custody and the submission made by the counsel for the petitioner, this court is inclined to grant bail to the petitioner with condition to deposit Rs.2 lakhs before the VIII Metropolitan Magistrate Court, Chennai in the above said crime number.

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 VIII 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 learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity.

(b) The petitioner shall also deposit a sum of Rs.2,00,000/- (Rupees Two Lakhs only) to the credit of the crime no. 324/2022 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 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 in open court today.

Principal Sessions Judge

Copy to :

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

vv

Crl.M.P.No. 17617 / 2023

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Tuesday, the 25th day of July, 2023**

CrI.M.P.No. 17738/2023

in

D-4 Zam Bazaar P.S. Crime No. 146/2023

Ragupathy

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
D-4 Zam Bazaar Police Station,
Chennai.

..Respondent/Complainant.

The above petition is coming on this day before me for hearing in the presence of M/s. R. Muthukumar, R. Lingakumar, D.Jaisankar, H. Meeran Mohideen, Counsel for the petitioner and of CPP for respondent and upon hearing them, this Court delivered the following:

ORDER

1. The petitioner, who was arrested on 4.7.2023 for the offences punishable under Section 341, 294(b), 323, 384 and 506(ii) IPC in Crime No. 146/2023 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that the petitioner is innocent. He is no way connected with the alleged offence. He has been falsely implicated in this case. The petitioner is in custody from 4.7.2023. Hence, prays for granting bail.

4. On the other hand, learned CPP submits that this petitioner along with other accused waylaid the defacto complainant and robbed Rs.900/- from him at knife point. This petitioner is having 7 previous cases. Hence, he objects the grant of bail.

5. The petitioner is in custody for the past three weeks. Period for taking custodial interrogation is over. According to CPP, this petitioner is having 7 previous cases. However, considering the duration of custody, this court is inclined to grant bail to the petitioner on condition.

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

(a) the sureties shall affix their photographs and Left Thumb impression in the surety bond and the learned 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 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 in open court today.

Principal Sessions Judge

Copy to :

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

vv

Crl.M.P.No. 17738 / 2023

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Tuesday, the 25th day of July, 2023

Cr.L.M.P.No. 17739/2023

in

CCB, Team-XXVIII Crime No. 12/2023

S. Ramesh

.. Petitioner/Accused.

Vs.

State Rep. by

The Inspector of Police,

Central Crime Branch, Team-XXVIII,

Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s. V.M. Venkatramana, S. Sathyamurthy, S. Kalaivanan, M. Sarukesan, Counsel for the petitioner and of CPP for respondent, and upon hearing them, this Court delivered the following:

ORDER

1. The petitioner, who was arrested on 12.02.2023 for the offences punishable under Section 406 420, 506(i) and 120(B) IPC in Crime No. 12/2023 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that this petitioner is innocent of offence. A1 and this petitioner are childhood friends. A1 had given this petitioner's bank account to the defacto complainant and requested him to deposit the amount to this petitioner's account and A1 had obtained this petitioner's ATM card and using the same during the covid 19 lockdown period. The entire amount deposited by the defacto complainant in to his account has also been transferred to the bank account of A1. This petitioner only helped his friend A1 to use his ATM card during lockdown period. He did not involve in the alleged crime and he is not a beneficiary. A1 was granted bail by the Hon'ble High Court and A3 was granted bail by this court. Without proper enquiry, the police arrested this petitioner. The petitioner is in custody from 12.2.2023. Hence, prays for granting bail.

4. On the other hand, learned CPP submits that it is a case of job racketing. This petitioner/A2 along with A1 and A3 totally received Rs.59,77,000/- from the defacto

complainant on false promise that they will secure job in MTC as an apprentice or AE and thereafter failed to keep up their promise and not returned the money to the defacto complainant and thus committed cheating. The transaction had taken place during 16.9.2019 to 25.5.2022. The specific overtact attributed against the petitioner is that he impersonated his name as one Balasubramaniam and posed himself as a Secretary in Tamil Nadu State Transport Corporation and received Rs.10,28,610/- from the defacto complainant through his bank account. This petitioner also interviewed the defacto complainant and gave false assurance that they will secure job for him at MTC. This petitioner is having two previous cases of similar nature. However, learned CPP submits that A1 was granted bail by the Hon'ble High Court and A3 was granted bail by this court. Investigation is completed and charge sheet has been filed.

5. The counsel for the petitioner also produced bank statement to show that A1 withdrawn amount from the account of this petitioner. The petitioner is in custody for more than five months. According to CPP, co-accused A1 was granted bail by the Hon'ble High Court and A3 was granted bail by this court. Investigation is completed and charge sheet has been filed in this case. Considering the above facts and the duration of custody, this court is inclined to grant bail to the petitioner subject to condition.

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

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

(b) the petitioner shall appear before the said Court on all working days at 10.30 a.m. until further orders.

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

(d) the petitioner shall not abscond during 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 in open court today.

Principal Sessions Judge

Copy to :

1. The Metropolitan Magistrate, for CCB and CBCID Cases, Chennai.
2. The Superintendent, Central Prison, Puzhal.

vv

Crl.M.P.No. 17739 / 2023

IN THE COURT OF SESSIONS AT CHENNAI

Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Tuesday, the 25th day of July, 2023

CrI.M.P.No. 17740/2023
in
D-3 Ice House P.S. Crime No. 171/2023

Saranraj

.. Petitioner/Accused

Vs.

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

..Respondent/Complainant.

The above petition is coming on this day before me for hearing in the presence of M/s. P. Thinesh, G.D. Pon Prabhakaran, Counsel for the petitioner and of CPP for respondent and upon hearing them, this Court delivered the following:

ORDER

1. The petitioner, who was arrested on 26.6.2023 for the offences punishable under Section 392 IPC in Crime No. 171/2023 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that the petitioner is innocent. He is no way connected with the alleged offence. He has been falsely implicated in this case. The petitioner is in custody from 26.6.2023. Hence, prays for granting bail.

4. On the other hand, learned CPP submits that this petitioner waylaid the defacto complainant and robbed Rs.1000/- and a cell phone from him at knife point. This petitioner is having 3 previous cases.

5. The petitioner is in custody for the past one month. Major portion of investigation might have been completed by this time. Considering the above facts and the duration of custody, this court is inclined to grant bail to the petitioner on condition.

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

(a) the sureties shall affix their photographs and Left Thumb impression in the surety bond and the learned 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 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 in open court today.

Principal Sessions Judge

Copy to :

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

vv

Crl.M.P.No. 17740 / 2023

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Tuesday, the 25th day of July, 2023**

CrI.M.P.No. 17742/2023

in

K-10 Koyambedu P.S. Crime No. 335/2023

Jana

.. Petitioner/Accused

Vs.

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

..Respondent/Complainant.

The above petition is coming on this day before me for hearing in the presence of M/s. P. Sundararajan, P. Hariganesh, P. Balamurugan, Counsel for the petitioner and of CPP for respondent and upon hearing them, this Court delivered the following:

ORDER

1. The petitioner, who was arrested on 8.7.2023 for the offences punishable under Section 341, 294(b), 323, 397, 324, 336, 506(ii) IPC in Crime No. 335/2023 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that the petitioner is innocent. He is no way connected with the alleged offence. He has been falsely implicated in this case. The petitioner has no bad antecedents. He is in custody from 8.7.2023. Hence, prays for granting bail.

4. On the other hand, learned CPP submits that this petitioner /A3 along with two other accused waylaid the defacto complainant and robbed Rs.2000/- and a cell phone from him at knife point. However, he submits that out of Rs.2000/-, Rs.500/- and the cell phone involved in this case has been recovered and the petitioner has no bad antecedents.

5. No previous case is reported against the petitioner. Major portion of property has been recovered. The petitioner is in custody for the past 18 days. Period for taking

custodial interrogation is over. Considering the above facts and the duration of custody, this court is inclined to grant bail to the petitioner on condition.

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

(a) the sureties shall affix their photographs and Left Thumb impression in the surety bond and the learned 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 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 in open court today.

Principal Sessions Judge

Copy to :

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

vv

Crl.M.P.No. 17742 / 2023

IN THE COURT OF SESSIONS AT CHENNAI

Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Tuesday, the 25th day of July, 2023

CrI.M.P.No. 17744/2023

in

H-5 New Washermenpet P.S. Crime No. 313/2023

Ajai

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
H-5 New Washermenpet Police Station,
Chennai.

..Respondent/Complainant.

The above petition is coming on this day before me for hearing in the presence of M/s. J. Saravanakumar, R. Nagaraj, Counsel for the petitioner and of CPP for respondent and upon hearing them, this Court delivered the following:

ORDER

1. The petitioner, who was arrested on 11.7.2023 for the offences punishable under Section 294(b), 323, 397 and 506(ii) IPC in Crime No. 313/2023 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that the petitioner is innocent. He is no way connected with the alleged offence. He has been falsely implicated in this case. The petitioner has no bad antecedents. He is in custody from 11.7.2023. Hence, prays for granting bail.

4. On the other hand, learned CPP submits that this petitioner /A2 along with three other accused waylaid the defacto complainant and robbed Rs.430/- from him at knife point. However, he submits that the petitioner has no bad antecedents.

5. No previous case is reported against the petitioner. The petitioner is in custody for the past two weeks. Period for taking custodial interrogation is over. Considering the above facts and the duration of custody, this court is inclined to grant bail to the petitioner on condition.

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

(a) the sureties shall affix their photographs and Left Thumb impression in the surety bond and the learned 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 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 in open court today.

Principal Sessions Judge

Copy to :

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

vv

Crl.M.P.No. 17744 / 2023

IN THE COURT OF SESSIONS AT CHENNAI

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

Tuesday, the 25th day of July, 2023

CrI.M.P.No. 17745/2023

in

E-1 Mylapore P.S. Crime No.275/2023

Yuvaraj

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
E-1 Mylapore Police Station,
Chennai.

..Respondent/Complainant.

The above petition is coming on this day before me for hearing in the presence of M/s. P. Sundararajan, P. Balamurugan, J. Arivazhagan, Counsel for the petitioner and of CPP for respondent and upon hearing them, this Court delivered the following:

ORDER

1. The petitioner, who was arrested on 5.7.2023 for the offences punishable under Section 341, 294(b), 336, 427, 397 and 506(ii) IPC in Crime No. 275/2023 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that the petitioner is innocent. He is no way connected with the alleged offence. He has been falsely implicated in this case. False case has been foisted on him only for statistical purpose. Property has been recovered. He is in custody from 5.7.2023. Hence, prays for granting bail.

4. On the other hand, learned CPP submits that this petitioner /A1 along with other accused waylaid the defacto complainant and robbed Rs.500/- from him at knife point. He further submits that this petitioner is a habitual offender and he is having 10 previous cases. If he is released on bail, again, he will indulge in similar nature of crime. Hence, he objects the grant of bail.

5. Though property has been recovered, considering the bad antecedents of the petitioner, this court is not inclined to grant bail to him.

6. Petition is dismissed.

Delivered by me in open court today.

Principal Sessions Judge

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Tuesday, the 25th day of July, 2023

Crl.M.P.Nos. 17746 & 17761 / 2023

in

P-6 Kodungaiyur P.S. Crime No. 353/2023

Sanjay @ Dolu

.. Petitioner/Accused.

in Crl.M.P.No.17746/2023

Vijay @ Jacky

.. Petitioner/Accused

in Crl.M.P.No.17761/2023

Vs.

State Rep. by

The Inspector of Police,

P-6 Kodungaiyur Police Station,

Chennai.

..Respondent/Complainant.

in both the petitions

The above petitions are coming on this day before me for hearing in the presence of M/s. D. Kannan, N. Naresh, Counsel for the petitioner in Crl.M.P.No.17746/2023 and of M/s. S. Ambedkar, M. Arun, P. Praveen Kumar, Counsel for the petitioner in Crl.M.P.No. 17761/2023 and of CPP for respondent and upon hearing them, this Court delivered the following:

COMMON ORDER

1. The petitioners, who were arrested on 10.7.2023 for the offences punishable under Section 341, 294(b), 397 and 506(ii) IPC in Crime No. 353/2023 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioners in both the petitions submits that the petitioners are innocent of the offence. They are no way connected with the alleged offence. False case has been foisted on them only for statistical purpose. Co-accused were already granted bail by this court on 12.7.2023. The petitioners are in custody from 10.7.2023. Hence, prays for granting bail.

4. On the other hand, learned CPP submits that these petitioners along with two other accused waylaid the defacto complainant and robbed Rs.200/- from him at knife

point. He further submits that the petitioner Sanjay is having 5 previous cases and the petitioner Vijay is having 3 previous cases.

5. Co-accused were already granted bail by this court on 12.7.2023. The petitioners are in custody for the past 16 days. Period for taking custodial interrogation is over. Considering the above facts and the duration of custody, this court is inclined to grant bail to the petitioners on condition.

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

(a) the sureties shall affix their photographs and Left Thumb impression in the surety bond and the learned 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 above petitioners in accordance with law as if the conditions have been imposed and the above petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K. Shaji Vs. State of Kerala [(2005) AIR SCW 5560]**.

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

Delivered by me in open court today.

Principal Sessions Judge

Copy to :

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

vv

Crl.M.P.Nos. 17746 & 17761 / 2023

IN THE COURT OF SESSIONS AT CHENNAI

Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Tuesday, the 25th day of July, 2023

Cr.L.M.P.No. 17748/2023
in
D-5 Marina P.S. Crime No. 133/2023

Johnson

.. Petitioner/Accused

Vs.

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

..Respondent/Complainant.

The above petition is coming on this day before me for hearing in the presence of M/s. M. Hussaini Basha , I. Gowrishankar, Counsel for the petitioner and of CPP for respondent and upon hearing them, this Court delivered the following:

ORDER

1. The petitioner, who was arrested on 4.7.2023 for the offences punishable under Section 294(b), 341,397 and 506(ii) IPC in Crime No. 133/2023 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that the petitioner is innocent. He is no way connected with the alleged offence. He has been falsely implicated in this case. He is in custody from 11.7.2023 . Hence, prays for granting bail.

4. On the other hand, learned CPP submits that this petitioner waylaid the defacto complainant and robbed Rs.500/- from him at knife point. The petitioner is having two previous cases including one case under the NDPS Act.

5. The petitioner is in custody for the past three weeks. Period for taking custodial interrogation is over. Considering the above facts and the duration of custody, this court is inclined to grant bail to the petitioner on condition.

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

(a) the sureties shall affix their photographs and Left Thumb impression in the surety bond and the learned 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 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 in open court today.

Principal Sessions Judge

Copy to :

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

vv

Crl.M.P.No. 17748 / 2023

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Tuesday, the 25th day of July, 2023

Crl.M.P.No. 17755/2023

in

S.C No. 237/2023

(on the file of XX Additional Sessions Judge, Chennai)

Appu @ Sivasankaran

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
K-3 Aminjikai Police Station,
Chennai.

..Respondent/Complainant.

The above petition is coming on this day before me for hearing in the presence of M/s. S. Sugumar, P. Praveen Kumar, Counsel for the petitioner and of CPP for respondent and upon hearing them, this Court delivered the following :

ORDER

1. The petitioner, who was arrested on 7.3.2023 on execution of NBW for the offence punishable under Section 341, 324, 307, 114 r/w 34 IPC in S.C. No. 237/2023 on the file of XX Additional Sessions Court, Chennai, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that due to the illness of the petitioner, he could not appear before the committal court on the hearing date. Hence, NBW was issued against him on 3.3.2017. Thereafter, the case has been committed to the court of sessions. His absence is neither wilful nor wanton. Hereafter, he will be regular in attending the court. The petitioner is in custody from 7.3.2023. Hence, prays for granting bail.

4. According to CPP, NBW was issued against the petitioner on 3.3.2017 and it was executed on 7.3.2023. The petitioner was absent for 6 years. After much effort he has been secured by the police. Now, the case is pending for framing of charges. If the petitioner is

released on bail, again, he may abscond and the further proceedings of the case will be stalled. Hence, he objects the grant of bail.

5. NBW was issued against the petitioner on 3.3.2017 and it was executed on 7.3.2023. The petitioner was absent for 6 years. No valid reason stated by the petitioner for his long absence and further he has not chosen to recall the warrant till his arrest. The conduct of the petitioner does not inspire the confidence of this court that he will be available for trial proceedings if he is released on bail. Considering the conduct of the petitioner, period of his absence and stage of the case, this court is not inclined to grant bail to the petitioner at this juncture.

6. Petition is dismissed.

Delivered by me today in the open Court.

Principal Sessions Judge

IN THE COURT OF SESSIONS AT CHENNAI

Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Tuesday, the 25th day of July, 2023

CrI.M.P.No. 17756/2023

in

C.C.No. 4503/2023

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

in

K-2 Ayanavaram P.S. Crime No. 67/2023

Mohan @ Gowtham

.. Petitioner/Accused

Vs.

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

..Respondent/Complainant.

The above petition is coming on this day before me for hearing in the presence of M/s. A. Samson, S. Azhaguvel, Counsel for the petitioner and of CPP for respondent and upon hearing them, this Court delivered the following:

ORDER

1. The petitioner, who was arrested on 11.4.2023 for the offences punishable under Section 457 and 380 IPC in C.C.No. 4503/2023 in Crime No. 67/2023 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that the petitioner is innocent. He is no way connected with the alleged offence. Simultaneously, four false cases have been registered against the petitioner only for statistical purpose. He has been falsely implicated in this case. He is in custody from 11.4.2023. Hence, prays for granting bail.

4. On the other hand, learned CPP submits that this petitioner break opened the defacto complainant's shop and stolen away cash Rs.19,600/-. This petitioner is having 3 previous cases. However, he submits that in all the cases, charge sheet has been filed.

5. It is reported by the CPP, charge sheet has been filed in this case. The petitioner is in custody for more than three months. Considering the above facts and the duration of custody, this court is inclined to grant bail to the petitioner on condition.

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

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

(b) the petitioner shall appear before the said Court on all working days 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 in open court today.

Principal Sessions Judge

Copy to :

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

vv

Crl.M.P.No. 17756 / 2023

IN THE COURT OF SESSIONS AT CHENNAI

Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Tuesday, the 25th day of July, 2023

Crl.M.P.No. 17757/2023

in

C.C.No. 4504/2023

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

in

K-2 Ayanavaram P.S. Crime No. 64/2023

Mohan @ Gowtham

.. Petitioner/Accused

Vs.

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

..Respondent/Complainant.

The above petition is coming on this day before me for hearing in the presence of M/s. A. Samson, S. Azhaguvel, Counsel for the petitioner and of CPP for respondent and upon hearing them, this Court delivered the following:

ORDER

1. The petitioner, who was arrested on 11.4.2023 for the offences punishable under Section 279, 336, 353, 332, 506(ii) IPC in C.C.No. 4504/2023 in Crime No. 64/2023 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that the petitioner is innocent. He is no way connected with the alleged offence. Simultaneously, four false cases have been registered against the petitioner only for statistical purpose. He has been falsely implicated in this case. He is in custody from 11.4.2023. Hence, prays for granting bail.

4. On the other hand, learned CPP submits that when the defacto complainant and his police party indulged in vehicle check, this petitioner along with another came in a two wheeler in high speed. When they were intercepted by the police officials, they attacked the complainant using iron rod and due to which, the complainant fell down and sustained injury on his head. When the police tried to chase them, they threatened the police

officials and escaped from the spot. The defacto complainant was admitted to KMC hospital and he has been treated as out-patient. This petitioner is having 3 previous cases. However, he submits that in all the cases, charge sheet has been filed.

5. It is reported by the CPP, victim has been treated as out-patient. Charge sheet has been filed in this case. The petitioner is in custody for more than three months. Considering the above facts and the duration of custody, this court is inclined to grant bail to the petitioner on condition.

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

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

(b) the petitioner shall appear before the said Court on all working days 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 in open court today.

Principal Sessions Judge

Copy to :

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

vv

Crl.M.P.No. 17757 / 2023

IN THE COURT OF SESSIONS AT CHENNAI

Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Tuesday, the 25th day of July, 2023

CrI.M.P.No. 17758/2023

in

C.C.No. 4505/2023

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

in

K-2 Ayanavaram P.S. Crime No. 66/2023

Mohan @ Gowtham

.. Petitioner/Accused

Vs.

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

..Respondent/Complainant.

The above petition is coming on this day before me for hearing in the presence of M/s. A. Samson, S. Azhaguvel, Counsel for the petitioner and of CPP for respondent and upon hearing them, this Court delivered the following:

ORDER

1. The petitioner, who was arrested on 11.4.2023 for the offences punishable under Section 457, 380 and 511 of IPC in C.C. No. 4505/2023 in Crime No. 66/2023 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that the petitioner is innocent. He is no way connected with the alleged offence. Simultaneously, four false cases have been registered against the petitioner only for statistical purpose. He has been falsely implicated in this case. He is in custody from 11.4.2023. Hence, prays for granting bail.

4. On the other hand, learned CPP submits that this petitioner break opened the defacto complainant's shop and attempted to commit theft. This petitioner is having 3 previous cases. However, he submits that in all the cases, charge sheet has been filed.

5. Theft not committed. Attempt only made. It is reported by the CPP, charge sheet has been filed in this case. The petitioner is in custody for more than three months.

Considering the above facts and the duration of custody, this court is inclined to grant bail to the petitioner on condition.

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

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

(b) the petitioner shall appear before the said Court on all working days 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 in open court today.

Principal Sessions Judge

Copy to :

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

vv

Crl.M.P.No. 17758 / 2023

IN THE COURT OF SESSIONS AT CHENNAI

Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Tuesday, the 25th day of July, 2023

CrI.M.P.No. 17759/2023

in

C.C.No. 4506/2023

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

in

K-2 Ayanavaram P.S. Crime No. 65/2023

Mohan @ Gowtham

.. Petitioner/Accused

Vs.

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

..Respondent/Complainant.

The above petition is coming on this day before me for hearing in the presence of M/s. A. Samson, S. Azhaguvel, Counsel for the petitioner and of CPP for respondent and upon hearing them, this Court delivered the following:

ORDER

1. The petitioner, who was arrested on 11.4.2023 for the offences punishable under Section 457, 380 and 511 of IPC in C.C.No. 4506/2023 in Crime No. 65/2023 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that the petitioner is innocent. He is no way connected with the alleged offence. Simultaneously, four false cases have been registered against the petitioner only for statistical purpose. He has been falsely implicated in this case. He is in custody from 11.4.2023. Hence, prays for granting bail.

4. On the other hand, learned CPP submits that this petitioner break opened the defacto complainant's shop and attempted to commit theft. This petitioner is having 3 previous cases. However, he submits that in all the cases, charge sheet has been filed.

5. Theft not committed. Attempt only made. It is reported by the CPP, that charge sheet has been filed in this case. The petitioner is in custody for more than three months.

Considering the above facts and the duration of custody, this court is inclined to grant bail to the petitioner on condition.

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

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

(b) the petitioner shall appear before the said Court on all working days 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 in open court today.

Principal Sessions Judge

Copy to :

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

vv

Crl.M.P.No. 17759 / 2023

IN THE COURT OF SESSIONS AT CHENNAI

Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Tuesday, the 25th day of July, 2023

CrI.M.P.No. 17760/2023

in

C-1 Flower Bazaar P.S. Crime No. 112/2023

K. Prabhakar @ Vellai

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
C-1 Flower Bazaar Police Station,
Chennai.

..Respondent/Complainant.

The above petition is coming on this day before me for hearing in the presence of M/s.K. Bommuraj, A.K. Umashankar, S. Sasidaran, S. Gnanavel, Counsel for the petitioner and of CPP for respondent and upon hearing them, this Court delivered the following:

ORDER

1. The petitioner, who was arrested on 28.6.2023 for the offences punishable under Section 341, 307 and 506(ii) IPC in Crime No. 112/2023 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that the petitioner is innocent. He is no way connected with the alleged offence. The petitioner has no bad antecedents. Victim has been discharged from the hospital. The petitioner is in custody from 28.6.2023. Hence, prays for granting bail.

4. On the other hand, learned CPP submits that due to previous enmity, this petitioner attacked the defacto complainant using knife and caused stab injury on his abdomen. Victim was admitted to hospital for treatment and after 9 days of inpatient treatment, he has been discharged from the hospital. The petitioner has no bad antecedents.

5. No previous case is reported against the petitioner. Victim has been discharged from the hospital. The petitioner is in custody for the past 28 days. Major portion of investigation might have been completed by this time. Considering the above facts and the duration of custody, this court is inclined to grant bail to the petitioner on 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 VIII 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 learned 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 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 in open court today.

Principal Sessions Judge

Copy to :

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

vv

Crl.M.P.No. 17760 / 2023

IN THE COURT OF SESSIONS AT CHENNAI

Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Tuesday, the 25th day of July, 2023

CrI.M.P.No. 17762/2023

in

C.C.No. 5096/2023

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

in

K-1 Sembium P.S. Crime No. 662/2022

Dinesh

.. Petitioner/Accused

Vs.

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

..Respondent/Complainant.

The above petition is coming on this day before me for hearing in the presence of M/s.S. Dhayanidhi, N. Naresh, Counsel for the petitioner and of CPP for respondent and upon hearing them, this Court delivered the following:

ORDER

1. The petitioner, who was arrested on 13.3.2023 for the offence punishable under Section 379 IPC in C.C.No. 5096/2023 in Crime No. 662/2022 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that the petitioner is innocent. He is no way connected with the alleged offence. False case has been registered against the petitioner only for statistical purpose. Investigation is completed. The petitioner is in custody from 13.3.2023. Hence, prays for granting bail.

4. On the other hand, learned CPP submits that this petitioner along with other accused snatched the cell phone from the defacto complainant. According to him investigation is completed and charge sheet has been filed in this case.

5. Learned CPP does not raise any serious objection. Charge sheet has been filed in this case. The petitioner is in custody for more than four months. Considering the

above facts and the duration of custody, this court is inclined to grant bail to the petitioner on condition.

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

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

(b) the petitioner shall appear before the said Court on all working days 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 in open court today.

Principal Sessions Judge

Copy to :

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

vv

Crl.M.P.No. 17762 / 2023

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Tuesday, the 25th day of July, 2023

CrI.M.P.No. 17764/2023

in

K-9 Thiru Vi Ka Nagar P.S. Crime No. 89/2023

Gowtham 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 in the presence of M/s. D. Gopi Krishnan, J. Tamil Kudimagan, U. Yuvaraj, A. Vinoth Kumar, Counsel for the petitioner and of CPP for respondent, and upon hearing them, this Court delivered the following:

ORDER

1. The petitioner, who was arrested on 23.6.2023 for the offences punishable under Section 406, 420 IPC in Crime No. 89/2023 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. The case of the prosecution is that this petitioner along with other accused collected Rs.13 lakhs from the defacto complainant under the guise of arranging job at abroad and later neither arranged job nor returned the amount to the complainant and thus committed cheating.

4. Learned counsel for the petitioner submits that this petitioner is innocent of offence. He has not committed any offence as alleged by the prosecution. He is ready to abide by any condition that may be imposed on him. He is in custody from 23.6.2023 and prays for granting bail.

5. According to CPP, this petitioner introduced himself as job consultant to the defacto complainant and assured to get job for him at Caterpillar Company and received Rs.50,000/- from the defacto complainant. Thereafter, in the month of February 2nd week, one Balakrishnan contacted him and introduced himself that he was working in Caterpillar and conducted an interview over phone. Subsequently, this petitioner and other accused

received totally Rs.13 lakhs from the defacto complainant under the guise of arranging job at abroad. They also conducted fake interview and issued fake offer letter to the defacto complainant. The defacto complainant paid amount to the accused through bank transaction. But, the accused failed to secure job for the complainant as assured and also not returned the amount to him. Investigation is going on. If he is released on bail, he may tamper the evidence and will cause hindrance to the investigation. Hence, he objects the grant of bail.

6. It is a case of job racketing. The allegation against the petitioner is that he introduced himself as job consultant to the defacto complainant and assured to get job for him at Caterpillar Company and initially received Rs.50,000/- from him and later he along with other accused assured that they will arrange job at abroad for the defacto complainant and totally received Rs.13 lakhs from the defacto complainant and after receiving the amount, failed to secure job and not returned the amount received from the defacto complainant. The accused also conducted fake interview and issued fake offer letter to the complainant. Bank transaction details also produced before this court to show the amount has been transferred to the account of this petitioner. Investigation is still going on. Cheated amount is not yet recovered. Releasing the petitioner at this juncture is not conducive for investigation. Hence, in the above said circumstances, this court is not inclined to grant bail to the petitioner.

7. Petition is dismissed.

Delivered by me in open court today.

Principal Sessions Judge

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Tuesday, the 25th day of July, 2023**

CrI.M.P.No. 17269/2023

in

CCB-I, Crime No. 58/2023

G. Varalakshmi

.. Petitioner/Accused

Vs.

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

..Respondent/Complainant.

This petition came before me on 21.7.20223 for hearing in the presence of M/s. A.P. Sathyamurthy, R.N. Ganesh, P. Narayana Prasadh, Counsel for the petitioner and of CPP for the respondent and upon hearing them, this Court delivered the following

ORDER

1. The petitioner, apprehending arrest at the hands of the respondent police, for the alleged offences u/s. 120-B, 420, 465, 467, 468 and 471 IPC in Crime No. 58/2023 on the file of the respondent police, seeks anticipatory bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that this petitioner is innocent of the offence. She has no knowledge about the borrowal of housing loan. Since this petitioner is wife of A2 and the property stood in her name, she has been implicated in this case. As a land owner she executed sale deed in favour of A1. Except that she has no knowledge about the inflated value of the property. She is ready to abide by any condition that may be imposed on her. The petitioner apprehends arrest at the hands of the respondent police. Hence, prays for granting anticipatory bail.

4. On the other hand, learned CPP submits that A1 borrowed a sum of Rs.40,00,000/- from the defacto complainant's bank as Housing Loan and the loan was disbursed to A2 and A3 (the petitioner herein) by way of two Demand Drafts for Rs.35,69,000/- and Rs.3,30,700/- respectively on the strength of A2 being builder and A3 this petitioner being land owner. While borrowing the loan, it was represented by A1 that

he is working in Pearson India Education Services Private Ltd., and he produced forged documents for obtaining the loan. He repaid the loan amount only to the tune of Rs.3,40,874/- and thereafter from 23.6.2019, no EMI was paid and the account became NPA. Later, on verification it came to light that A1 quit the job from Pearson India Education Services Pvt. Ltd., and ECS was also failed. Further at the time of sanctioning the loan, the value of the property was mentioned as Rs.65,38,000/- which was an inflated amount and during investigation, it came to light the actual value of the property is Rs.23,30,000/-. This petitioner is wife of A2. A2 is a builder. The specific allegation against the petitioner is that she received Rs.3,30,700/- from A1 from the loan amount sanctioned by the bank. At the time of borrowal of loan, A1 along with other accused submitted forged documents and also quoted as the property measuring 1180 sq.feet house though its original sq.feet is 845 and obtained additional loan amount and thus committed cheating and all the accused shared the loan amount among themselves and caused wrongful loss to the defacto complainant's bank. Investigation is not yet completed. Hence, he objects the grant of anticipatory bail.

5. This petitioner apprehends arrest at the hands of respondent police for the alleged offence u/s.120(B), 420, 465, 467, 468 and 471 IPC. On perusal of the records, it appears that this petitioner executed a sale deed in favour of A1 Prashanth since she is the owner of the property situated at Flat No.S, 2nd floor, Block A, Senthamizh Nagar, Kattankolathur, Chengalpattu Taluk, Kancheepuram. A1 obtained loan of Rs.40 lakhs from the defacto complainant's bank by producing forged documents. He gave Rs.3,30,700/- to this petitioner since she is a owner of the property. A2 is this petitioner's husband and he is a builder. Out of the loan sanctioned, A1 gave Rs.35,69,300/- to A2 since he is a builder. Though originally, the house flat measuring 845 sq.feet, at the time of borrowing loan, A1 quoted as the house flat measuring 1180 sq.feet by producing forged documents for the purpose of obtaining additional loan amount. After receiving the loan amount A1 has paid only Rs.3,40,874/- and thereafter failed to pay the EMI and therefore, the said account became NPA. Later, on verification, the bank authorities came to know that A1 obtained the housing loan by producing forged documents by mentioning the value of the property on higher side. Admittedly, in collusion with other accused, this petitioner executed the sale deed in favour of A1 for 1180 sq.,feet though original sq.feet of the house is 845 and she

facilitated A1 for obtaining additional loan amount. Even for argument sake, this petitioner has no knowledge about the mentioning of additional sq.feet by A1, this petitioner being the wife of A2, who is a builder, he knows very well about the fraud committed by the other accused. Further, this petitioner and her husband received the amount for the value of 845 sq.feet and other accused shared the balance amount among themselves. Even, the copy of sale deed is not produced on the petitioner side that she executed the sale deed to A1 for 845 sq.eet to show her innocence. Therefore, the innocence pleaded by this petitioner cannot be accepted. Investigation is still going on. Cheated amount is not yet recovered. Custodial interrogation of the petitioner is very much needed. In the above said circumstances, this court is not inclined to grant anticipatory bail to the petitioner.

6. Petition is dismissed.

Delivered by me today in the open court

Principal Sessions Judge