

IN THE COURT OF SESSIONS AT CHENNAI

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

Tuesday, the 25<sup>th</sup> day of July, 2023.

**Crl.M.P.No.17513/2023**

in

**R-6, Kumaran Nagar P.S. Crime No.126/2023**

S.Ramachandran

.. 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.Arun and S.Aravind, 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 381, 411 and 506(i) of IPC in Crime No.126/2023 on the file of the respondent police, seeks anticipatory bail.

2. The learned counsel for the petitioner submits that the case of the prosecution is that the accused Sathish owes money to one Kishore and Lakshmikanthan, wherein the car possessed by Sathish was taken by them, later, it was found that the owner of the car is the defacto complainant. He further submits that the petitioner is no way connected with the case. It seems that there was money quarrel between the above said persons. Co-accused were released on bail. The petitioner has returned the money. He does not know that the defacto complainant is the owner of the car. He is apprehending 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 defacto complainant appointed the co-accused Sathish for monthly salary and handed over his car to him. The said Sathish along with the present petitioner and other accused have stolen the said car and threatened the defacto complainant to pay Rs.3,80,000/- for returning the car and also sold the car to someone. The petitioner has received Rs.2,20,000/- as his share. Other accused are also absconding and they are to be arrested. Investigation is pending. Hence, strongly opposed the petition.

4. It is alleged that the petitioner and others have stolen the car belonging to the defacto complainant and sold the same to some other persons. They have also demanded Rs.3,80,000/- from the defacto complainant for returning the car. It is submitted by the prosecution that the petitioner has received Rs.2,20,000/- towards his share. Absconding accused are yet to be arrested. Investigation is pending. Earlier petition for anticipatory bail was dismissed on 1.7.2023 and no change of circumstances. Considering the nature of case, 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.**

Tuesday, the 25<sup>th</sup> day of July, 2023.

**Crl.M.P.No.17517/2023**

in

**G-1, Vepery P.S. Crime No.188/2023**

1. Jagan
2. Regina
3. Arunprasanth
4. Deepa

.. Petitioners/Accused

Vs.

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

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s.T.V.Somasundaram, U.Yuvaraj, A.Vinoth Kumar, M.Dhilipan and T.Kanimozhi, Counsel for the petitioner 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 341, 294(b), 323 and 506(ii) of IPC in Crime No.188/2023 on the file of the respondent police, seek anticipatory bail.

2. The learned counsel for the petitioners submits that the allegation is that the petitioners waylaid the defacto complainant and her daughter, abused them in filthy language by asking partition of the property and pulled down them by assaulting them and threatened by showing wooden log. He further submits that the petitioners are innocent and they have not committed any offence as alleged. The petitioners 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 due to dispute over partition of property, the petitioners waylaid the defacto complainant and her daughter, abused them and pulled them down and also threatened by showing wooden log. The injured has been treated as outpatient and the petitioners have no previous case.

4. Dispute between family members over partition of property. Injured has been treated as outpatient. No bad antecedents reported against the petitioners. 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 II 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 II Metropolitan Magistrate, Chennai.
2. CPP, Chennai.
3. The Inspector of Police, G-1, Vepery Police Station, Chennai.

SS

Crl.M.P.No.17517/2023

IN THE COURT OF SESSIONS AT CHENNAI

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

Tuesday, the 25<sup>th</sup> day of July, 2023.

**Crl.M.P.No.17520/2023**

in

**R-1, Mambalam P.S. Crime No.130/2023**

R.Lokesh @ Lokeshkumar

.. Petitioner/Accused

Vs.

State Rep. by  
The Inspector of Police,  
R-1, Mambalam Police Station,  
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s.S.Rajesh, S.Elaiyaraja and K.Hemalatha, 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), 324 and 506(ii) of IPC in Crime No.130/2023 on the file of the respondent police, seeks anticipatory bail.

2. The learned counsel for the petitioner submits that it is alleged that one Ajith along with his friends quarreled with the defacto complainant and his friends under the influence of alcohol and assaulted the defacto complainant. He further submits that the petitioner does not know the accused and defacto complainant. He did not know about the incident. However, the respondent police falsely implicated him in this 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 along with other accused picked up quarrel with the defacto complainant and others in a party and assaulted them and tried to assault them with broken bottles. The injured has been treated as outpatient. The petitioner has no previous case.

4. Injured has been treated as outpatient. No bad antecedents reported as against the petitioner. Except 506(ii) IPC, other offences are bailable. 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

XVII 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 XVII Metropolitan Magistrate, Chennai.
2. CPP, Chennai.
3. The Inspector of Police, R-1, Mambalam Police Station, Chennai.

SS

Crl.M.P.No.17520/2023

IN THE COURT OF SESSIONS AT CHENNAI

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

Tuesday, the 25<sup>th</sup> day of July, 2023.

**Crl.M.P.No.17521/2023**

in

**P-5, M.K.B.Nagar P.S. Crime No.131/2023**

R.Parthasarathy

.. Petitioner/Accused

Vs.

State Rep. by  
The Inspector of Police,  
P-5, M.K.B.Nagar Police Station,  
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s.K.Murugan, P.Suresh Babu, B.Ulaganathan and C.Vijaykumar, 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), 323, 384 and 506(ii) of IPC in Crime No.131/2023 on the file of the respondent police, seeks anticipatory bail.

2. The learned counsel for the petitioner submits that the case of the prosecution is that the petitioner and other accused forcibly collected money from the Lorry drivers, who parked their lorries at Mullai Nagar. He further submits that the petitioner is a lorry driver. He is noway connected with the case. The alleged offence was said to have committed on 7.3.2023, however, the complaint has been lodged on 9.3.2023. Co-accused were arrested on 9.3.2023 and released on bail on 10.3.2023. 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 complaint has been lodge by the President of the Lorry Owners Association alleging that the petitioner along with other accused are extracting money from the drivers of the lorry while they parked their lorries at Mullai Nagar Road to load and unload the goods. On 7.3.2023, the petitioner and others waylaid the defacto complainant and extracted Rs.800/- as rowdy mamool and assaulted the defacto complainant and one Kamalakannan with knife. He further submits that the petitioner is having three previous cases, including one murder case. Arrest of the petitioner is necessary for custodial interrogation. Hence, strongly opposed the petition.

4. It is alleged that the the petitioner along with other accused are extracting money from the drivers of the lorry while they parked their lorries at Mullai Nagar Road to load and unload the goods. On 7.3.2023, the petitioner and others waylaid the defacto complainant and extracted Rs.800/- as rowdy mamool and assaulted the defacto complainant and one Kamalakannan with knife. According to the prosecution, the petitioner is having three previous cases, including one murder case. Arrest of the petitioner is necessary for custodial interrogation. Earlier petition for anticipatory bail was dismissed on 10.7.2023 and no change of circumstances. Considering the nature of case and bad antecedents of the petitioner, 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.**

Tuesday, the 25<sup>th</sup> day of July, 2023.

**Crl.M.P.No.17523/2023**

in

**N-2, Kasimedu P.S. Crime No.159/2023**

K.Venkatesh

.. 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.I.MD.Arif and D.Nagarajan, 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 379 of IPC in Crime No.159/2023 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 three others committed theft of two-wheeler. He further submits that the petitioner was already arrested in connection with C2 P.S. Cr.No.44/2023 on 17.5.2023 and he was released on bail on 16.6.2023. The petitioner was also remanded in N-3 P.S. Cr.No.71/2023 on 25.5.2023 and he was granted bail on 28.6.2023. In both the case, the petitioner has been complying with the condition regularly. In the meantime, the present case was registered against him on 12.6.2023 for the alleged offence dated 8.4.2023. The petitioner has not committed the offence. He 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 committed theft of bike belonging to the defacto complainant. He is having three previous cases of similar nature. The said bike was recovered in another case. Arrest of the petitioner is necessary for custodial interrogation. Hence, strongly opposed the petition.

4. It is alleged that the petitioner committed theft of two-wheeler. He is having three previous cases of similar nature. According to the prosecution, arrest of the petitioner is

necessary for custodial interrogation. Considering the nature of case and antecedents of the petitioner, 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.**

Tuesday, the 25<sup>th</sup> day of July, 2023.

**Crl.M.P.No.17524/2023**

in

**V-5, Thirumangalam P.S. Crime No.158/2023**

1. V.Sharanya
2. A.Shantha

.. Petitioners/Accused

Vs.

State Rep. by  
The Inspector of Police,  
V-5, Thirumangalam Police Station,  
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s.J.Kather Hussain, P.Kalaivanan and N.Tamilvanan, Counsel for the petitioner 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 294(b), 427 and 506(i) of IPC in Crime No.158/2023 on the file of the respondent police, seeks anticipatory bail.

2. The learned counsel for the petitioners submits that the allegation is that due to dispute over parking of vehicles, the petitioners abused the defacto complainant in filthy language and threatened with dire consequences. The petitioners have moved anticipatory bail before this court in Crl.M.P.No.14373/2023 and the same was granted on 27.6.2023 with condition to surrender before the trial court within 15 days from the date of order. The petitioners obtained copy of order on 30.6.2023, however, the Neonatal Baby of the 1<sup>st</sup> petitioner developed some medical emergencies which constrained the petitioners to seek appropriate medical intervention by admitting the baby in the hospital. Hence, the petitioners were unable to execute the sureties within time. Therefore, the present petition for anticipatory bail.

3. On the other hand, the learned CPP submits that already anticipatory bail was granted to the petitioners on 27.6.2023. However, they have not executed sureties within the time stipulated by this court. Thereafter, they have filed petition for extension of time and the same was dismissed by this court. Now, the petitioners have moved for anticipatory bail for second time. Hence, he opposed the petition.

4. Already the petitioners were granted anticipatory bail by this court in CrI.M.P.No.14373/2023 on 27.6.2023 granting 15 days time to surrender and furnish sureties. However, the petitioners have not surrendered and furnished sureties as per the order passed by this court. On the other hand, they have filed petition for extension of time in CrI.M.P.No.16920/2023 and the same was dismissed on 18.7.2023 for the reason that the said petition was filed after expiry of the time granted by this court and also for not stating any acceptable reasons. Now, the petitioners have filed the present petition again for anticipatory bail. As already stated, there is no acceptable reason for the non-compliance of the order passed by this court. Considering the above circumstances, this court is not inclined to allow the petition.

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.**

Tuesday, the 25<sup>th</sup> day of July, 2023.

**Crl.M.P.No.17640/2023**

**in**

**Crl.M.P.No.14128/2023**

**in**

**Crime No.92/2023**

Balaji

.. Petitioner/Accused

Vs.

State Rep. by

The Inspector of Police,

R-3, Ashok Nagar Police Station,

Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s.R.Ponnusamy, 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.14128/2023, dt: 22.6.2023.

2. The petitioner was granted bail by this court in Crl.M.P.No.14128/2023, dated 22.6.2023 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 only for 28 days and hence, the petition may be dismissed.

4. The petitioner has complied the condition only for 28 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.**

Tuesday, the 25<sup>th</sup> day of July, 2023.

**Crl.M.P.No.17641/2023**

**in**

**Crl.M.P.No.12963/2023**

**in**

**Crime No.306/2023**

Durairaj

.. Petitioner/Accused

Vs.

State Rep. by

The Inspector of Police,

J-3, Guindy Traffic Investigation Wing Police Station,

Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s.C.Ganesh Pandian, A.Shabanal and C.Prbakar, 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.12963/2023, dt: 19.6.2023.

2. The petitioner was granted bail by this court in Crl.M.P.No.12963/2023, 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 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.**

Tuesday, the 25<sup>th</sup> day of July, 2023.

**Crl.M.P.No.17642/2023**

**in**

**Crl.M.P.No.13604/2023**

**in**

**Crime No.109/2023**

Roshan

.. Petitioner/Accused

Vs.

State Rep. by

The Inspector of Police,

P-3, Vyasarpadi Police Station,

Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s.N.Naresh, 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.13604/2023, dt: 16.6.2023.

2. The petitioner was granted bail by this court in Crl.M.P.No.13604/2023, dated 16.6.2023 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 33 days.

4. The petitioner has complied the condition for 33 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.**

Tuesday, the 25<sup>th</sup> day of July, 2023.

**Crl.M.P.No.17643/2023**

**in**

**Crl.M.P.No.12361/2023**

**in**

**Crime No.7/2023**

C.Santhosh

.. Petitioner/Accused

Vs.

State Rep. by  
The Inspector of Police,  
Railway Protection Force,  
Chennai Central,  
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s.K.Shanugam and P.Sivakumar, 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.12361/2023, dt: 7.6.2023.
2. The petitioner was granted bail by this court in Crl.M.P.No.12361/2023, dated 7.6.2023 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 45 days.
4. The petitioner has complied the condition for 45 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.**

Tuesday, the 25<sup>th</sup> day of July, 2023.

**Crl.M.P.No.17644/2023**

**in**

**Crl.M.P.No.13509/2023**

**in**

**Crime No.113/2023**

1. Ubaidullah
2. Jakeer Hussain
3. Hajee Ismail

.. Petitioners/Accused

Vs.

State Rep. by  
The Inspector of Police,  
G-2, Periamet Police Station,  
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s.T.Gnana Banu, G.Gubendhiran, A.Hashika, K.V.Gopinath, C.Ram Prasath, 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.13509/2023, dt: 19.6.2023.
2. The petitioners were granted anticipatory bail by this court in Crl.M.P.No.13509/2023, 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 petitioners have complied the condition for 31 days.
4. The petitioners have complied the condition for 31 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  
Tuesday, the 25<sup>th</sup> day of July, 2023**

**Crl.M.P.No.16072/2023**

**in**

**Crl.M.P.No.8540/2023**

**in**

**C.A.No.187/2023**

**in**

**C.C.No.1027/2016**

(On the file of the learned VII Metropolitan Magistrate, George Town, Chennai)

S.Umapathy

.. Petitioner/Accused.

Vs.

D.Ganesan

..Respondent/Complainant.

The above petition is coming on this day before me for hearing in the presence of M/s.S.Udhaya Kumar, R.Subramaniam, G.Vivekanandan and V.Tamil Selvi, Counsel for the petitioner and upon hearing both sides, this Court delivered the following:

**ORDER**

1. The petitioner seeks extension of time to comply with conditional order passed by this court in Crl.M.P.No.8540/2023, dated 12.4.2023.

2. The Petitioner/Appellant herein is the accused in C.C.No.1027/2016 on the file of the learned VII Metropolitan Magistrate, George Town, Chennai. On 6.3.2023 judgment was pronounced in the above case and the petitioner was found guilty u/s.138 of N.I. Act and sentenced to undergo three months Simple Imprisonment and to pay double the cheque amount of Rs.14,00,000/- to the complainant as compensation. As per the order passed in Crl.M.P.No.8540/2023, dated 12.4.2023, the sentence was suspended on condition that the petitioner shall produce two sureties each for Rs.10,000/- and also deposit 20% of the compensation amount to the credit of CC number on the file of the trial court within sixty days from the date of the order. Notice issued to the respondent and the same was served, but he did not turn up.

3. Learned counsel for the petitioner submits that due to financial problem, the petitioner was not able to raise the amount. Now with considerable efforts by borrowing

money, the petitioner has raised the amount and he is willing to deposit immediately. The failure to deposit the amount is not wilful but due to circumstance beyond the control of the petitioner. Hence, the time may be extended.

4. The order was passed on 12.4.2023 and the time was expired on 11.6.2023. The present petition has been filed on 7.7.2023 seeking extension of further time. According to the counsel for the petitioner, due to financial problem, the petitioner was not able to raise the amount, hence, he could not comply with the order within the stipulated time. The reason stated by the petitioner for non-compliance of the order within the time is not acceptable one. Further, the petition has been filed after the lapse of the time granted by the court. Considering the above circumstances, this court is not inclined to extend the time. Accordingly, the 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.**

**Tuesday, the 25<sup>th</sup> day of July, 2023**

**Crl.M.P.No.17912/2023**

**in**

C.A.No.419/2023

**in**

C.C.No.5317/2014

(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.Thirukumaran, 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 him. The petitioner has surrendered before this court today and he was remanded to custody.

5. As per Sec.148 of N.I. Act (Amendment Act), 2018, the Appellate Court may order the Appellant to deposit such sum which shall be a minimum of Twenty percent of the fine or Compensation awarded by the Trial Court. In the above provision, it is clearly stated that the amount shall be deposited within 60 days from the date of the judgment. As already

stated supra, the petitioner/appellant/accused was ordered to undergo simple imprisonment for a period of six months and in these circumstances, it may not be right to hold that the petitioner has to serve the sentence during the pendency of the appeal.

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

7. Accordingly, the sentence of imprisonment imposed on the petitioner by the lower Court alone is hereby suspended till the disposal of the appeal and the petitioner is ordered to be enlarged on bail on his executing a bond for Rs.10,000/- with two sureties each for a likesum. Further the petitioner shall deposit 20% of the compensation amount to the credit of C.C. number on the file of the Trial Court within sixty days from the date of this Order.

Delivered by me today in open court.

**Principal Sessions Judge**

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