

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Monday, the 31st day of July, 2023

Crl.M.P.No. 18366 / 2023

in

R-5 Virugambakkam P.S. Crime No. 25/2023

S. Aravindhan @ Siva

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
R-5 Virugambakkam Police Station,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s. G.V. Sridharan, Vijayalakshmi Sridharan, R. Karthikeyan, P. Kannan, S. Satheeshkumar, V. Jayalakshmi, 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 16.7.2023 for the offences punishable under Section 406, 420 and 506(i) IPC in Crime No. 25/2023 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that the relationship between the petitioner and the defacto complainant is purely a landlord tenant dispute and it is purely civil in nature. The defacto complainant is the owner of the property bearing new No.0, Old door No. 5A, Ground floor, Kamar Street, Venkatesh Nagar, Virugambakkam, Chennai. The defacto complainant entered rental agreement with the petitioner. There is specific clause in the agreement permitting to let out the property for sub lease and by virtue of the said clause, this petitioner has sublet the property to a third party. This petitioner is ready to deposit 25% of the lease amount. The petitioner has no bad antecedents. The present complaint has been lodged with an ulterior motive. The petitioner is in custody from 16.7.2023. He is ready to abide by any condition that may be imposed on him. Hence, prays for granting bail.

4. On the other hand, learned CPP submits that the defacto complainant is the land owner. This petitioner is a tenant under him. The defacto complainant let out the property to this petitioner for rent. This petitioner has not paid the rent regularly. Whereas, he leased out the property to a third party and received Rs.16 lakhs . He further submits that this petitioner is a habitual offender and he is in the habit of taking a property for rent thereafter neither paying the rent nor vacating the premises and entered into lease agreement with another person and received lease amount from third party and thus committed cheating. Cheated amount not yet recovered. This petitioner is having two previous cases of similar nature. Investigation is not yet completed. Hence, he objects the grant of bail.

5. There was landlord and tenant relationship between the petitioner and the defacto complainant. Defacto complainant is the landlord and this petitioner is tenant under him. The allegation against the petitioner is that he did not regularly paid the rent. Whereas, he sublet the property to a third party and received Rs.16 lakhs from him as lease amount. The cheated amount is not yet recovered. Arrest of the petitioner is very recent. Investigation is at initial stage. According to CPP, this petitioner is having two previous cases of similar nature. In the above said circumstances, this court is not inclined to grant bail to the petitioner at present.

6. Petition is dismissed.

Delivered by me in open court today.

Principal Sessions Judge

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Monday, the 31st day of July, 2023

Crl.M.P.Nos. 18369, 18404 and 18412/2023

in

H-3 Tondiarpet P.S., Crime No. 166/2023

Akash	.. Petitioner/Accused in Crl.M.P.No.18369/2023
Anandhan	.. Petitioner/Accused in Crl.M.P.No. 18404/2023
Ganesh	.. Petitioner/Accused in Crl.M.P.No.18412/2023

Vs.

State Rep. by
The Inspector of Police,
H-3 Tondiarpet Police Station,
Chennai.

..Respondent/Complainant.
in all the petitions

The above petitions are coming on this day before me for hearing in the presence of M/s. S. Apunu, R. Kamesh, K. Subburaj, V. Sudhakar, B. Stephenraj, Counsel for the petitioners in Crl.M.P.No.18369 and 18412/2023, and of M/s. M. Nithiyavel, G. Kameshwaran, K. Sarathkumar, Counsel for the petitioner in Crl.M.P.No.18404/2023 and of CPP for respondent and upon hearing them, this Court delivered the following :

COMMON ORDER

1. The petitioners, who were arrested on 11.7.2023 for the offence punishable under Section 147, 148, 436 IPC in Crime No. 166/2023 on the file of the respondent police, seeks bail.
2. Heard both sides.
3. Learned counsel for the petitioners in all the petitions submits that the petitioners are innocent. They have not committed any offence as alleged by the

prosecution. They have been falsely implicated in this case. No one sustained injury. No damage caused. Some of the co-accused were granted bail by this court on 28.7.2023. The petitioners are in custody from 11.7.2023 and prays for granting bail.

4. On the other hand, learned CPP submits that due to previous enmity, these petitioners along with other accused thrown petrol bomb on the defacto complainant's house and caused damage to the compound wall. He further submits that the petitioner Anandhan was detained under Act 14/1982 as per the detention order No. 336/2023 dated 27.7.2023. The petitioner Akash is having 1 previous case and Ganesh is having 2 previous cases. However, he submits that no one sustained injury.

5. Since the petitioner Anandhan was detained under Act 14/1982, this court is not inclined to grant bail to him. As far as the other petitioners are concerned, they are in custody for the past 21 days. No one sustained injury. Period for taking custodial interrogation is over. Some of the co-accused were granted bail by this court on 28.7.2023. 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 petitioners Akash and Ganesh alone subject to condition.

6. Accordingly, the above said 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 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 above said petitioners shall appear before the respondent police daily at 10.00 a.m. until further orders.

(c) the above said petitioners shall not tamper with evidence or witness either during investigation or trial.

(d) the above said 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 said petitioners in accordance

with law as if the conditions have been imposed and the above said 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 above said petitioners thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

8. As far as the petitioner Anandhan is concerned, this petition is dismissed since he was detained under Act 14/1982.

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.Nos. 18369, 18404 and 18412 / 2023

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Monday, the 31st day of July, 2023**

CrI.M.P.No. 18370/2023

in

CCB ALGSC-1, Team XVII Crime No. 94/2023

Divya Chandrasekar

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
Central Crime Branch,
ALGSC-1, Team- XVII,
Vepery, Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s. C. Senthil Nathan, C. Sakthivel, 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 13.7.2023 for the offence punishable under Section 465, 467, 468, 471r/w 34 IPC in Crime No. 94/2023 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. A1 is her father, A2 is her mother and A3 is her brother. A2 her mother was died. A1 father of this petitioner had informed her and her brother A3 that the property situated at T.Nagar, Survey Nos.117/8, 118/5, 120/3 T.S.No.6530, was belonged to his father and was settled to his mother and all his brothers vide document No.212/1951. A1 informed the petitioner that after the demise of his elder brother, their family is trying to sell the property and had entered into a registered sale agreement with one Neelan. This petitioner's father is not interested in selling his share, he informed A3 and A4 that he wanted to execute GPA in favour of his wife (A2) and wanted them to sign he GPA deed. Believing his words, this peitioner and A3 have signed the deed of GPA. The encumbrance certificate from the

SRO, T.Nagar for the year 1.1.1949 to 31.12.1974 reflects that the property belong to her grandmother. The EC obtained from the T.Nagar SRO from 1.1.1975 to 21.3.2023 does not have any entry except the sale agreement executed by A1's elder brothers family. Hence, at the time of execution, the said property comprised in Survey Nos. 117/8, 118/5, 120/3 in TS No.6530 were free from encumbrances. This petitioner is innocent of the offence. She is no way connected with the forgery of any documents. She is a mother of two years old female child affected with Hiatus Hernia and undergoing treatment since 2018 onwards. She is ready to abide by any condition that may be imposed on her. She is in custody from 13.7.2023. Hence, prays for granting bail.

4. On the other hand, learned CPP submits that the defacto complainant is the eldest daughter of late Tr. Krishnamoorthy and one of the legal heir of the property comprising land and building at No.22/27, Krishna Rao Naidu Nagar, T. Nagar, Chennai-17 measuring 2 grounds 1900 sq.feet which has been purchased jointly by her grandfather Tr. M.S. Nadiu and father Krishnamoorthy from the sons of late Subramania Mudaliar viz., V.S. Seenivasan, V.S. Chandrasekaran, V.S. Jayavelu, V.S. Somasundaram vide registered doc. No. 1493/1975 dated 5.12.1975 at SRO, T. Nagar. The defacto complainant's grandfather during his life time had bequeathed his half share of the property under a Will to the petitioner's brother namely N. Govindarajan. Since the defacto complainant's father Krishnamoorthy died intestate, his share of the property has devolved on the legal heirs i.e., the defacto complainant's mother Leelavathy and petitioner and her four siblings, who are younger to her. In the meanwhile, it came to light that A1 Chandrasekar, who is the father of this petitioner, along with his brothers had already sold the subject property to the defacto complainant's father and grand father has once again executed a fraudulent General Power of Attorney in favour of his wife (A2) along with this petitioner and her brother vide doc. No. 613/2013 at SRO, T. Nagar and thereby created encumbrance over the subject property. This petitioner's father knowing fully well that he had already sold the subject property along with his brothers, had concealed the said document and had registered the settlement to the A1's mother Kaveriyammal family, showing as an earlier document that the said Subramania Mudaliar in the deed was during his life time. He claimed to have retained the right and since both

of them died, the heirs, the 1st accused along with his brothers wrongly stated in the document that the property was divided into ¼ share, the petitioner, her father, her mother and her brother jointly and severally gave the property to the 2nd accused. According to T. Nagar SRO, Doc. No.616/2013 the Power of Attorney has registered and usurped the said place and has made an encumbrance on the said property. Investigation is not yet completed. If the petitioner is released on bail, she may tamper the evidence. This petitioner's earlier bail application was dismissed on 24.7.2023 and that there is no change in circumstances. Hence, he objects the grant of bail.

5. It is argued by the learned counsel for the petitioner, this petitioner and her brother believing her father's words, executed the general power of attorney in favour of A2, who is her mother. The EC obtained from the T.Nagar SRO from 1.1.1975 to 21.3.2023 does not have any entry except the sale agreement executed by A1's elder brothers family. Hence, at the time of execution, the said property comprised in Survey Nos. 117/8, 118/5, 120/3 in TS No.6530 were free from encumbrances. This petitioner is innocent of the offence. She is no way connected with the forgery of any documents. The petitioner being a lady, having two years old female child, she may be released on bail. However, according to CPP, this petitioner, her father, her brother all joined together with intention to grab the property, executed a general power of attorney in favour of her mother, knowing fully well that the said property was already sold by her father and his brothers to the defacto complainant's father Krishnamoorthy and grand father M.S. Naidu. Hence, the innocence pleaded by this petitioner cannot be accepted in execution of general power of attorney. The petitioner's earlier bail application was dismissed on 24.7.2023. No change in circumstance was reported before this court after the dismissal of earlier bail application. Investigation is at preliminary stage. Hence, at this juncture, this court is not inclined to grant bail to the petitioner .

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
Monday, the 31st day of July, 2023

CrI.M.P.No. 18382/2023

in

V-1 Villivakkam P.S., Crime No. 202/2023

Sathish

.. Petitioner/Accused.

Vs.

State Rep. by
The Inspector of Police,
V-1 Villivakkam Police Station
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s. R. Sebastian Raj, 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 offence punishable under Section 397 IPC in Crime No. 202/2023 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 of the offence. He has not committed any offence as alleged by the prosecution. False case has been foisted on him only for statistical purpose. The petitioner is in custody from 5.7.2023 and prays for granting bail.

4. On the other hand, learned CPP submits that this petitioner/A2 along with other accused waylaid the defacto complainant and robbed Rs.500/- from him at knife point. This petitioner is having two previous cases. Out of Rs.500/-, Rs.200/- has been recovered.

5. The petitioner is in custody for more than 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 subject to condition.

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

(a) the sureties shall affix their photographs and Left Thumb impression in the surety bond and the 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 above petitioner in accordance with law as if the conditions have been imposed and the above 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 XIII Metropolitan Magistrate, Chennai.
2. The Superintendent, Central Prison, Puzhal.

vv

Crl.M.P.No. 18382 / 2023

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Monday, the 31st day of July, 2023**

CrI.M.P.No. 18383/2023

in

K-9 Thiru Vi Ka Nagar P.S., Crime No. 300/2023

Ajay

.. 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. G. Sivakumar, K. Sujan Kumar, S.K. Masthan, B.J. Santhoshkumar, 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 13.7.2023 for the offences punishable under Section 341, 294(b), 397 and 506(ii) IPC in Crime No.300/2023 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 of the offence. He has not committed any offence as alleged by the prosecution. False case has been foisted on him only for statistical purpose. The petitioner is in custody from 13.7.2023 and prays for granting bail.

4. On the other hand, learned CPP submits that this petitioner waylaid the defacto complainant and robbed Rs.650/- from him at knife point. The petitioner has no bad antecedents.

5. No previous case is reported against the petitioner. The petitioner is in custody for the past 18 days. Period for taking custodial interrogation is over. Considering the above facts and 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 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 above petitioner in accordance with law as if the conditions have been imposed and the above 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. 18383 / 2023

IN THE COURT OF SESSIONS AT CHENNAI

Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Monday, the 31st day of July, 2023

CrI.M.P.No. 18384/2023

in

S.C.No. 425/2023

in

K-6 T.P. Chathiram P.S. Crime No. 361/2010

S. Munna @ Munna Bai

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
K-6 T.P. Chathiram Police Station,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s. G. Sivakumar, K. Sujankumar, S.K. Masthan, B.J. Santhosh 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 6.7.2023 on execution of NBW for the offences punishable under Section 120(B), 147, 148, 324, 326, 307 r/w 149 IPC in S.C.No. 425/2023 in Crime No. 361/2010 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that since the petitioner was suffering from Jaundice and he had taken native treatment, he could not appear before the committal court on hearing date. Hence, NBW was issued against him on 4.3.2022 and the same was executed on 6.7.2023. His absence is neither wilful nor wanton. The petitioner undertakes that hereafter he will be regular in attending the court. Hence, prays for granting bail.

4. On the other hand, learned CPP submits that NBW was issued against the petitioner on 4.3.2022 and it was executed on 6.7.2023. After much effort, the petitioner was arrested by the police. This petitioner was absent for 1 ½ years. Due the absence of the petitioner, the case could not be proceeded further. Occurrence had taken place in the year 2010. Now, only the case has been committed to the court of sessions. He seriously objects granting bail stating that if he is released on bail, there is every possibility of his abscondence and the case proceedings would be stalled.

5. NBW was issued against the petitioner on 4.3.2022 and it was executed on 6.7.2023. The petitioner has stated that due to jaundice, he could not appear before the trial court. No valid reason stated by the petitioner for his long absence. He has not chosen to recall the warrant till his arrest. The learned counsel has not produced any proof in support of his contention. If the petitioner is released on bail, chances of his absconding is more and the case proceedings would be stalled. 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. Under such circumstances, considering the conduct of the petitioner and period of his abscondence, this court is not inclined to grant bail to the petitioner at present.

6. Hence, the 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**

Monday, the 31st day of July, 2023

Crl.M.P.Nos. 18389 & 18410 / 2023

in

P-1 Pulianthope P.S. Crime No. 256/2023

Sonaram Gurjar

.. Petitioner/Accused.
in Crl.M.P.No.18389/2023

Mohd Kashif

.. Petitioner/Accused
in Crl.M.P.No.18410/2023

Vs.

State Rep. by
The Inspector of Police,
P-1 Pulianthope 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. C. Kumaravelu, M. Suresh, Counsel for the petitioner in Crl.M.P.No.18389/2023 and of M/s. K. Srinivasan, M. Kotteeswaran, Counsel for the petitioner in Crl.M.P.No. 18410/2023 and of CPP for respondent and upon hearing them, this Court delivered the following:

COMMON ORDER

1. The petitioners, who were arrested on 28.6.2023 for the offences punishable under Section 25(1-A), of Arms Act 1959 and u/s. 109, 115, 120-B IPC in Crime No. 256/2023 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. It is alleged in the complaint that these petitioners were found in possession of country pistol while vehicle check conducted by the respondent police. The petitioners have been falsely implicated in this case. Without

proper enquiry, the respondent police implicated them in this case. Co-accused A4 to A6 were already granted bail by this court. The petitioners are in custody from 28.6.2023. Hence, prays for granting bail.

4. On the other hand, learned CPP submits that on 28.6.2023, the Sub-Inspector of police attached to P-1 Pulianthope Police station lodged a complaint stating that on 28.6.2023, when they were at vehicle check near Perambur Barracks Road and Kohinoor Hotel junction these petitioners came in a two wheeler and two persons came in a Scooter were waylaid and on enquiry and search, the police seized 2 country made guns with 5 rounds bullets from A1 Mukesh Gurjar and on enquiry, A1 revealed that A4 Mahipal Singh's daughter was eloped with one Pavesh to Rajasthan and therefore, A4 wanted to do away the said Pavesh and engaged these petitioners to eliminate him for which they demanded Rs.5 lakhs from A4 Mahipal Singh and received Rs.1 lakh as initial payment and went to Rajasthan. But, the said Pavesh returned to Chennai. Since they could not murder Pavesh in Rajasthan, they decided to murder him at Chennai after receiving the balance amount of Rs.4 lakhs from A4 and as per their plan they were going in their two wheeler with deadly weapons and at that time, the police intercepted them and arrested. From A1 to A3, the police seized 2 nos. of Pistol, 5 bullets mobile phone and a two wheeler. These petitioners hail from Uttar Pradesh and Rajasthan. If they are released on bail, chances for absconding is more. Investigation is still pending. Hence, he objects the grant of bail.

5. The allegation against the petitioners is that these petitioners were engaged as hooligans by A4 to eliminate one Pavesh since his daughter eloped with him to Rajasthan. When these petitioners came in a two wheeler with pistol and guns, they were intercepted by the police and the deadly weapons were seized from them. Co-accused A4 to A6 were already granted bail by this court on 4.7.2023 since they are not present at the scene of occurrence and no weapons have been recovered from them. Whereas, two country gun and 5 bullets were recovered from these petitioners during vehicle check by the respondent police. The possession of deadly weapons is not properly explained by the petitioners. Therefore, these petitioners cannot claim parity with co-accused who were granted bail by this court. These petitioners' earlier bail application was dismissed on

21.7.2023. No change in circumstances was reported after the dismissal of earlier bail application. Investigation is still going on. The petitioners hail from Rajasthan and Uttar Pradesh State. If they are released on bail, it will be very difficult to secure them again. In the above said circumstances, this court is not inclined to grant bail to the petitioners.

6. Hence, both the petitions are 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
Monday, the 31st day of July, 2023**

CrI.M.P.No. 18395/2023

in

K-9 Thiru Vi Ka Nagar P.S. Crime No. 298/2023

Johnson

.. 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. G. Sivakumar, K. Sujan Kumar, S.K. Masthan, B.J. Santhoshkumar, 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 12.7.2023 for the offences punishable under Section 341, 294(b), 384, 506(ii) IPC in Crime No. 298/2023 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 of the offence. He has not committed any offence as alleged by the prosecution. False case has been foisted on him only for statistical purpose. The petitioner is in custody from 12.7.2023 and prays for granting bail.

4. On the other hand, learned CPP submits that this petitioner waylaid the defacto complainant and robbed Rs.350/- from him at knife point. The petitioner is having three previous cases.

5. The petitioner is in custody for the past 20 days. Period for taking custodial interrogation is over. Considering the above facts and 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 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 above petitioner in accordance with law as if the conditions have been imposed and the above 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. 18395 / 2023

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Monday, the 31st day of July, 2023

CrI.M.P.Nos. 18405 & 18411 / 2023

in

N-1 Royapuram P.S. Crime No. 201/2023

Akash

.. Petitioner/Accused
in CrI.M.P.No.18405/2023

Ganesh

.. Petitioner/Accused
in CrI.M.P. No. 18411/2023

Vs.

State Rep. by
The Inspector of Police,
N-1 Royapuram 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. S. Apunu, R. Kamesh, K. Subburaj, V. Sudhakar, B. Stephenraj, Counsel for the petitioners in both the petitions and of CPP for respondent and upon hearing them, this Court delivered the following:

COMMON ORDER

1. The petitioners, who were arrested on 20.7.2023 for the offences punishable under Section 147, 148, 341, 294(b), 323, 324, 307 and 506(ii) IPC in Crime No. 201/2023 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. They are no way connected with the alleged offence. They have been falsely implicated in this case. Victim has been discharged from the hospital. Co-accused were granted bail by this court on 28.7.2023. The petitioners are in custody from 20.7.2023. Hence, prays for granting bail.

4. On the other hand, learned CPP submits that totally 6 accused. These petitioners are A2 and A4. Due to previous enmity, these petitioners along with other accused dashed against defacto complainant's two wheeler. Then wordy quarrel arose between them. During the course of wordy quarrel, these petitioners attacked the victim

using knife and hands and caused injury to him. Victim was admitted to hospital and after 6 days of inpatient treatment, he has been discharged. Each petitioner is having two previous cases.

5. It is reported by the CPP that victim has been discharged from the hospital. Co-accused were already granted bail by this court on 28.7.2023. The petitioners are in custody for the past 11 days. Considering the fact that victim was discharged from the hospital 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 XVI 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 XVI Metropolitan Magistrate, Chennai.
2. The Superintendent, Central Prison, Puzhal.

vv

CrI.M.P.No. 18405 & 18411 / 2023

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Monday, the 31st day of July, 2023

CrI.M.P.Nos. 18406 & 18407 / 2023

in

N-2 Kasimedu P.S. Crime No. 181/2023

Akash .. Petitioner/Accused
in CrI.M.P.No.18406/2023

Ganesh .. Petitioner/Accused
in CrI.M.P. No. 18407/2023

Vs.

State Rep. by
The Inspector of Police,
N-2 Kasimedu 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. S. Apunu, R. Kamesh, K. Subburaj, V. Sudhakar, B. Stephenraj, Counsel for the petitioners in both the petitions and of CPP for respondent and upon hearing them, this Court delivered the following:

COMMON ORDER

1. The petitioners, who were arrested on 20.7.2023 for the offences punishable under Section 147, 148, 341, 294(b) and 307 IPC in Crime No. 181/2023 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. They are no way connected with the alleged offence. They have been falsely implicated in this case. No one sustained injury. False case has been foisted on them only for statistical purpose. The petitioners are in custody from 20.7.2023. Hence, prays for granting bail.

4. On the other hand, learned CPP submits that totally 6 accused. These petitioners are A5 and A6. Due to previous enmity, these petitioners along with other accused attempted to eliminate the defacto complainant. Fortunately, he had narrow escape from the said assault. Each petitioner is having two previous cases.

5. It is reported by the CPP that no one sustained injury in this case. The petitioners are in custody for the past 11 days. 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 XVI 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 XVI Metropolitan Magistrate, Chennai.
2. The Superintendent, Central Prison, Puzhal.

vv

Crl.M.P.No. 18406 & 18407 / 2023

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Monday, the 31st day of July, 2023

Crl.M.P.No. 18408 / 2023

in

G-1 Vepery P.S. Crime No. 191/2023

Kishore Kumar @ Kava Kishore

.. Petitioner/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. B. Shankar Babu, Mohammed Aasif, 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 19.7.2023 for the offences punishable under Section 341, 294(b), 323, 336, 392, 397 and 506(ii) IPC in Crime No. 191/2023 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 of the offence. 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. The petitioner is in custody from 19.7.2023. Hence, prays for granting bail.

4. On the other hand, learned CPP submits that this petitioner along with another accused waylaid the defacto complainant and robbed Rs.220/- from him at knife point. This petitioner is having 6 previous cases including one murder case. Hence, he objects the grant of bail.

5. The petitioner is in custody for the past 13 days. According to CPP, this petitioner is having 6 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 above petitioner in accordance with law as if the conditions have been imposed and the above 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. 18408 / 2023

IN THE COURT OF SESSIONS AT CHENNAI

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

Principal Sessions Judge

Monday, the 31st day of July, 2023

Crl.M.P.No. 18409 / 2023

in

E-1 Mylapore P.S. Crime No. 279/2023

1. E. Kalaiyaran

2. S. Parthiban

.. Petitioners/Accused

Vs.

State Rep. by

The Inspector of Police,

E-1 Mylapore Police Station,

Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s. K. Purushothaman, B. Deepak, Y. Rahul, Counsel for the petitioners and of CPP for respondent and upon hearing them, this Court delivered the following:

ORDER

1. The petitioners, who were arrested on 13.7.2023 for the offences punishable under Section 341, 294(b), 336, 397 and 506(ii) IPC in Crime No. 279/2023 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioners 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. The petitioners are in custody from 13.7.2023. Hence, prays for granting bail.

4. On the other hand, learned CPP submits that these petitioners along with other accused waylaid the defacto complainant and robbed Rs.2000/- from him at knife point. The 1st petitioner is having 3 previous cases including one murder case and the 2nd petitioner is having 2 previous cases including one murder case. Hence, he objects the grant of bail.

5. As far as this case is concerned, the petitioners are in custody for the past 19 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 XVIII 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 XVIII Metropolitan Magistrate, Chennai.
2. The Superintendent, Central Prison, Puzhal.

vv

Crl.M.P.No. 18409 / 2023

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Monday, the 31st day of July, 2023**

Crl.M.P.No. 18413/2023

in

P.R.C.No.65/2020

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

in

V.1, Villivakkam P.S. Crime No.524/2019

Jebastin Arulraj

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
V.1, Villivakkam Police Station,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s. A. Vinthan, S. Raj, S. Divakar, 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 19.6.2023 on execution of NBW for the offences punishable under Section 147, 148, 341, 294(b), 302, 506(ii) r/w. 149 IPC in P.R.C.No.65/2020 in Crime No.524/2019 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that the petitioner met with an accident and sustained fracture in the spinal card and admitted to the hospital for treatment and he was advised to take bed rest. Due to which, he was unable to appear before the committal court and NBW was issued against him on 9.5.2022 and the same was executed on 19.6.2023. His absence is neither wilful nor wanton. The petitioner undertakes that hereinafter he will be regular in attending the court. Hence, prays for granting bail.

4. On the other hand, learned CPP submits that NBW was issued on 9.5.2022 and he was absconding for more than a year. After much effort he was secured by the respondent police. Occurrence had taken place in the year 2019. Due to the absence of the accused one after another, the case could not be committed to Court of Sessions. He seriously objects granting bail stating that if he is released on bail, there is every possibility of his abscondence and the case proceedings would be stalled.

5. NBW was issued against the petitioner on 9.5.2022. After great effort, the respondent police secured the accused only on 19.6.2023. The petitioner was absconding himself for more than a year. According to the counsel for the petitioner, the reason for his non appearance before the committal court is that he sustained fracture in the spinal card and he had treatment for that and therefore, he could not appear before the court on the date of issuance of NBW. This petitioner's earlier bail application was dismissed on 18.7.2023 and in the said petition this court has observed that this petitioner was admitted in Govt. Stanley hospital on 11.2.2021 and discharged on 9.3.2021. But, in this case NBW was issued on 9.5.2022. The reason stated by the petitioner is not convincing and acceptable. Further, he has not chosen to surrender himself and to file necessary petition to get the warrant recalled. It is a case of 302 IPC. The alleged occurrence said to have been taken place during the year 2019. The case in PRC.No.65/2020 is pending before the Committal Court without any progress due to the absence of the accused one after another. If the petitioner is released on bail, chances for absconding is more and the case proceedings would be stalled. Under such circumstances, considering the stage of the case and the conduct of the petitioner, this court is not inclined to grant bail to the petitioner at present.

6. Hence, the 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

Monday, the 31st day of July, 2023

Cr.L.M.P.No. 18393/2023

in

K-10 Koyambedu P.S. Crime No. 174/2023

Ramesh

.. Petitioner/Accused.

Vs.

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

..Respondent/Complainant.

This petition came before me on 20.6.2023 for hearing in the presence of M/s. T.M. Mano, M. Illiyas, A. Venkateswara Babu, V. Karthik and G. Sundaresan, 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 2.7.2023 for the offences punishable under Section 406, 420, 506(ii) IPC in Crime No. 174/2023 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that the allegation against the petitioner is that he cheated the defacto complainant to the tune of Rs.48,60,000/- in supplying vegetables. This petitioner made all payments to the defacto complainant. False case has been foisted on him with an ulterior motive. Sec. 41-A Cr.P.C. notice is not served on the petitioner. The respondent police without following the mandatory guidelines issued by the Apex court, arrested this petitioner and thus, the police has violated the mandatory instructions. The petitioner is in custody from 2.7.2023. Hence, prays for granting bail.

4. On the other hand, learned CPP submits that this petitioner purchased vegetables for Rs.48,60,000/- from the defacto complainant on credit basis and agreed to make payment every 15 days from 18.2.2022 to 24.11.2022, but failed to make any payment. When the defacto complainant demanded the money, he issued a cheque. When it was presented before the bank, it was dishonoured due to insufficiency of fund. Cheated

amount is not yet recovered. Investigation is not yet completed. Hence, he objects the grant of bail.

5. This petitioner was arrested on 2.7.2023 for the offences punishable under Section 406, 420, 506(ii) IPC. The case of the prosecution is that this petitioner purchased vegetables for Rs.48,60,000/- from the defacto complainant on credit basis and agreed to make payment every 15 days from 18.2.2022 to 24.11.2022, but failed to make any payment. When the defacto complainant demanded the money, he issued a cheque. When it was presented before the bank, it was dishonoured due to insufficiency of fund. But, the defacto complainant has not preferred any private complaint u/s.138 of N.I. Act. Learned counsel for the petitioner during argument would submit that the respondent has not issued Sec.41 A Cr.P.C. notice as mandated by the Hon'ble Supreme Court of India in **Satender Kumar Antil Vs. Central Bureau of Investigation and another and AIR 2014 -SC-2756 Arnesh Kumar Vs. State of Bihar** . The petitioner/ accused faced the case u/s. 406, 420 and 506(ii) IPC which are punishable up to 7 years and therefore, it is mandatory that the respondent has to issue notice u/s. 41A Cr.P.C. as per the directions of Hon'ble Supreme Court of India and the respondent police without following the mandatory guidelines issued by the Apex court, arrested this petitioner and thus, the police has violated the mandatory instructions.

6. The offence u/s. 406 is punishable with imprisonment of three years or fine or both and offence u/s. 420 IPC is punishable with imprisonment for 7 years and fine. Also the offence u/s.506(ii) IPC is punishable 2 years of imprisonment. Therefore, as per the judgment of Hon'ble Supreme Court of India , **Satender Kumar Antil Vs. Central Bureau of Investigation and another and AIR 2014 -SC-2756 Arnesh Kumar Vs. State of Bihar** , the investigating officer is bound to issue notice u/s. 41A Cr.P.C. to the accused before making arrest. However, no such notice was issued by the investigating officer to the accused after registering the FIR and arrested the accused without following the mandatory procedures issued by the Hon'ble Supreme Court of India. Therefore, the accused is entitled to be released on bail on that score only.

7. Considering the fact that sec. 41 A Cr.P.C. notice was not issued by the investigating officer to the accused before arrest, the petitioner would entitle for grant of

bail for non-compliance of notice u/s. 41 A Cr.P.C. and therefore, this court is inclined to grant bail to the petitioner subject to condition.

8. 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 above petitioner in accordance with law as if the conditions have been imposed and the above 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. 18393 / 2023

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Monday, the 31st day of July, 2023**

Crl.M.P.No.18414/2023

in

K.4, Anna Nagar P.S., Crime No.190/2023

Ashwin

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
K.4, Anna Nagar Police Station,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s. S. Mohan Raj, G. Vinoth Kumar, M. Vinothini, 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 8.6.2023 for the offence punishable under Section 294(b), 324, 307, 506(ii) IPC @ 294(b), 302, 506(ii) IPC in Crime No.190/2023 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. The deceased is a street vendor selling Gulfi. During the course of wordy quarrel, due to sudden provocation, the assault was made. Initially, the case was registered u/s.307 IPC. Later, it was altered into Sec.302 IPC. There is no motive or intention. The petitioner is aged 19 years. He is a college student. The petitioner is in custody from 8.6.2023 and hence, prays for granting bail.

4. On the other hand, learned CPP submits that the petitioner demanded Gulfi from the deceased without paying money, that on his refusal, the accused, picked quarrel with the deceased and attacked him with wooden log. The victim sustained grievous head injury and was admitted to the hospital. Later he died and the case was altered into

Sec.302 IPC. Investigation is pending. Forensic Report is yet to be received. Hence, seriously objects granting bail.

5. It is a case of 302 IPC. Considering the grave nature of offence, the fact that a valuable life has been lost, investigation is pending and the objection made by learned CPP, this court is not inclined to grant bail to the petitioner.

6. Hence, the petition is dismissed.

Delivered by me today in the open Court.

Principal Sessions Judge

nmk

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Monday, the 31st day of July, 2023**

Crl.M.P.No.18415/2023

in

N.1, Royapuram P.S., Crime No.200/2023

Barath

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
N.1, Royapuram Police Station,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s. S. Apunu, R. Kamesh, K. Subburaj, V. Sudhakar, B. Stephenraj, 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 10.7.2023 for the offence punishable under Section 436 IPC and Sec.4 of TNPPDL Act in Crime No.200/2023 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 has not committed any offence as alleged by the prosecution. He has been falsely implicated in this case. Petitioner's name does not find a place in the FIR. The petitioner is a daily wage earner. The petitioner is in custody from 10.7.2023 and hence, prays for granting bail.

4. On the other hand, learned CPP submits that this petitioner/A1 along with two other accused came in a two wheeler and lit the Petrol Bombs and thrown it on the EB Box on the road and caused damage and escaped from the scene of occurrence. Based on the complaint lodged by the defacto complainant, case has been registered. During investigation, it came to light, the accused once again committed similar offence and all

the accused were arrested. This petitioner is having 2 previous cases. He seriously objects granting bail.

5. The petitioner has been in custody for the past 22 days. The period of taking custodial interrogation is over. It is alleged that the accused have thrown Petrol Bombs on the EB box and caused damage. But the damage has not been assessed. All the accused were arrested and the 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 XVI Metropolitan Magistrate, Chennai and on further condition that

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

(b) the petitioner shall appear before the 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 above petitioner in accordance with law as if the conditions have been imposed and the above petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K. Shaji Vs. State of Kerala [(2005) AIR SCW 5560]**.

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

Delivered by me today in the open Court.

Principal Sessions Judge

Copy to :

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

nmk

Crl.M.P.No.18415/2023

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Monday, the 31st day of July, 2023**

Crl.M.P.No.18416/2023

in

S.C.No.73/2023

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

in

D.2, Anna Salai P.S. Crime No.484/2019

Prakash

.. Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
D.2, Anna Salai Police Station,
Chennai.

..Respondent/Complainant.

The above petition is coming on this day before me for hearing in the presence of M/s. S. Mohanraj, G. Vinothkumar, M. Vinodhini, 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 15.6.2023 on execution of NBW for the offence punishable under Section 294(b), 393 r/w. 397, 394, 506(ii) of IPC in S.C.No.73/2023 in Crime No.484/2019 on the file respondent police, 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 trial court on the date of hearing and hence NBW was issued against him on 12.4.2023. Subsequently, due to summer vacations, he was unable to recall the warrant. NBW was executed on 15.6.2023, since then he is in custody. His absence is neither wilful nor wanton. He undertakes that hereafter, he will be regular in attending the court. Hence, prays for granting bail.

4. NBW was issued against the petitioner on 12.4.2023 and the same was executed on 15.6.2023, since then he is in custody for the past 47 days. The petitioner was absent for only one hearing. The case has been pending for execution of warrant against the

other accused. Considering the above facts and the duration of custody, this court is to grant bail to the petitioner.

5. 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 XX Additional Sessions Judge, Chennai and on further condition that

(a) the sureties shall affix their photographs and Left Thumb impression in the surety bond and the learned XX Addl. Sessions Judge 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 said petitioner shall not tamper with evidence or witness during trial.

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

(e) On breach of any of the aforesaid conditions, the Trial Court/learned Magistrate is entitled to take appropriate action against the said petitioner in accordance with law as if the conditions have been imposed and the said petitioner released on bail by the learned Magistrate/Trial Court itself 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. Learned XX Additional Sessions Judge, Chennai.
2. The Superintendent, Central Prison, Puzhal.

nmk

Crl.M.P.No.18416/2023

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Monday, the 31st day of July, 2023**

Crl.M.P.No.18418/2023

in

S.C.No.77/2023

(on the file of learned XXIII Additional Sessions Judge, Chennai)

in

N.3, Muthialpet P.S. Crime No.44/2019

Tamilselvan @ Rajan @ Rajesh

.. Petitioner/Accused

Vs.

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

..Respondent/Complainant.

The above petition is coming on this day before me for hearing in the presence of M/s. M. Illiyas, A. Venkateswara Babu, M. Mohamadhu Ajar, G. Sundaresan, 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 22.6.2023 on execution of NBW for the offence punishable under Section 392 r/w. 397, 427, 506(ii) of IPC in S.C.No.77/2023 in Crime No.44/2019 on the file respondent police, seeks bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that the petitioner's wife has delivered a female baby on 4.4.2023 and since the petitioner was taking care of both his wife and child, he could not appear before the trial court on the date of hearing and hence NBW was issued against him on 12.4.2023 and the same was executed on 22.6.2023. His absence is neither wilful nor wanton. He undertakes that hereafter, he will be regular in attending the court. He is in custody for more than a month. Hence, prays for granting bail.

4. NBW was issued against the petitioner on 12.4.2023 and the same was executed on 22.6.2023, since then he is in custody for the past 40 days. The petitioner was absent

for only one hearing. The case has been posted for trial. Considering the stage of the case, the fact that the petitioner was absent for only one hearing and the duration of custody, this court is to grant bail to the petitioner.

5. 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 XXIII Additional Sessions Judge, Chennai and on further condition that

(a) the sureties shall affix their photographs and Left Thumb impression in the surety bond and the learned XXIII Addl. Sessions Judge 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 said petitioner shall not tamper with evidence or witness during trial.

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

(e) On breach of any of the aforesaid conditions, the Trial Court/learned Magistrate is entitled to take appropriate action against the said petitioner in accordance with law as if the conditions have been imposed and the said petitioner released on bail by the learned Magistrate/Trial Court itself 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. Learned XXIII Additional Sessions Judge, Chennai.
2. The Superintendent, Central Prison, Puzhal.

nmk

Crl.M.P.No.18418/2023

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Monday, the 31st day of July, 2023**

Crl.M.P.No.18157/2023

in

J.6, Thiruvanmiyur P.S. Crime No.263/2023

P.G. Anandan

.. Petitioner/Accused.

Vs.

State Rep. by
The Inspector of Police,
J.6, Thiruvanmiyur Police Station,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s. S.M. Vetrivel, K. Manikandan, J. Judy, Counsel for the petitioner and of CPP for 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.406, 420, 419, 468, 294(b), 506(i) IPC in Crime No.263/2023 on the file of the respondent police, seek anticipatory bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that the petitioner is doing brokerage business for recommending rental houses, plots and residential houses to the locality peoples. The defacto complainant has approached the petitioner for purchasing a land. Based on which, the petitioner had referred A1 and A2 for buying the land. Joint Venture agreement was entered into between the defacto complainant and A1 and A2. A1 and A2 alone received Rs.10 lakhs by way of cash from the defacto complainant. Apart from that Rs.15 lakhs was received by them by way of cheques. A1 and A2 alone cheated the defacto complainant by fabricating the documents. This petitioner has no connection with the said transaction. The petitioner is a senior citizen. The respondent police without proper enquiry implicated the petitioner as an accused in this case. 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 this petitioner/A3 along with other accused under the guise of selling a land property bearing plot No.703, S.No.2/2B1,

admeasuring 2400 sq.ft. at VGP Gold beach Lay-Out, Uthandi received a sum of Rs.25 lakhs from the defacto complainant and entered into Joint Venture/Sale Agreement dated 22.11.2022. However, even after repeated request, the accused failed to execute Sale Deed. On verification, it came to light that the accused by impersonating the original owner of the said property entered into a forged Joint Venture Agreement with the defacto complainant and cheated him. When the defacto complainant demanded the accused to return the amount, he was threatened by the accused with dire consequences. Based on the complaint, the case has been registered. Learned CPP further submits that this petitioner is also one of the prime accused. He only introduced the defacto complainant with the other accused. This petitioner also actively participated in the commission of offence and shared the crime proceeds. Investigation is pending. A1 and A2 were arrested and A3 and A4 are still absconding. The arrest of the petitioner is very much required to complete the investigation. Amount is not yet recovered. He seriously objects granting bail.

5. It is a grave case of cheating. The allegation is that this petitioner along with the other accused have created fake documents for the property which does not belong to them by way of impersonation and cheated the defacto complainant. The amount cheated is to the tune of Rs.25 lakhs. According to the counsel for the petitioner, A1 and A2 only had received the amount and the petitioner is not a beneficiary. On the other hand, learned CPP submits that this petitioner is also one of the main accused and he alone introduced the defacto complainant with A1 and A2 and he is also actively participated in the crime. Investigation is pending and the amount is not yet recovered. Absconding accused are yet to be secured. Under such circumstances, the custodial interrogation of the petitioner appears to be necessary in this case. Considering the above facts, this court is not inclined to grant anticipatory bail to the petitioner.

6. Hence, the petition is dismissed.

Delivered by me in open court today.

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Monday, the 31st day of July, 2023**

CrI.M.P.No.18283/2023

in

W.2, AWPS Crime No.6/2023

Selvam Kumar

.. Petitioner/Accused.

Vs.

State Rep. by
The Inspector of Police,
W.2, All Women Police Station,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s. A. Vivek Ram, T. Rani, K. Kably Taiyab Khan, G.J. Giridharan, K. Sathish Kumar, Counsel for the petitioner and of CPP for 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.354, 354A of IPC and Sec.4 of TNPHW Act 2022 in Crime No.6/2023 on the file of the respondent police, seek anticipatory bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that the petitioner is innocent. He has not committed any offence as alleged by the prosecution. He has been falsely implicated in this case. The petitioner has appeared for enquiry, twice before the respondent police. 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 this petitioner, who is working in the Electrical Shop and also a member of a political party trespassed into the defacto complainant's house and misbehaved with her by making sexual advances. When the defacto complainant raised alarm, he escaped from the place. Investigation is pending. He seriously objects granting bail.

5. The allegation against the petitioner is that he tried to outrage the modesty of the defacto complainant by making sexual advances. Considering the serious nature of

allegations, the conduct of the petitioner, this court is not inclined to grant anticipatory bail to the petitioner.

6. Hence, the petition is dismissed.

Delivered by me in open court today.

nmk

Principal Sessions Judge

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Monday, the 31st day of July, 2023**

Crl.M.P.No.18288/2023

in

H.4, Korukkupet P.S. Cr.No.122/2023

Selvam

...Petitioner/Accused.

Vs.

State Rep. by
The Inspector of Police,
H.4, Korukkupet Police Station,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s. M. Illiyas, A. Venkateswara Babu, G. Sundaresan, Counsel for the petitioner and of CPP for 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 offence u/s.294(b), 384, 506(ii) of IPC in Cr.No.122/2023 on the file of the respondent police, seeks anticipatory bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that the petitioner is innocent. He is noway connected with the alleged offence. He has been falsely implicated in this case. The petitioner apprehends arrest at the hands of the respondent police. Hence, prays for granting anticipatory bail.

4. On the other hand, the learned CPP submits that this petitioner along with A1 waylaid the defacto complainant's push cart and taken the fruits without paying money and also robbed a sum of Rs.150/- at knife point. Investigation is pending. He seriously objects granting anticipatory bail.

5. The allegation is that this petitioner along with another accused robbed cash of Rs.150/- at knife point. On the other hand, learned counsel for the petitioner submits that he has not committed any offence and it is a false case. Any how, considering the fact that

no bad antecedent is reported against the petitioner, this court is inclined to grant anticipatory bail to the petitioner subject to condition.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of this order, before the XV 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 report 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 the open court

Principal Sessions Judge

Copies to:

1. The XV Metropolitan Magistrate, Chennai.
2. CPP, Chennai.
3. The Inspector of Police, H.4, Korukkupet Police Station, Chennai.

nmk

CrI.M.P.No.18288/2023

IN THE COURT OF SESSIONS AT CHENNAI

**Present: Tmt. S. Alli, M.L.,
Principal Sessions Judge
Monday, the 31st day of July, 2023**

CrI.M.P.No.17650/2023

in

P.3, Vyasarpadi Crime No.not known of 2023

Munusamy

.. 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. S. Mohan Raj, M. Vinothini, G. Vinoth Kumar, Counsel for the petitioner and of CPP for 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.406, 420 of IPC in Crime No.not known of 2023 on the file of the respondent police, seek anticipatory bail.

2. Heard both sides.

3. Learned counsel for the petitioner submits that the petitioner is innocent. He had purchased the Car - Maruti Swift Dezire bearing Regn. No.TN 05 3791 from the defacto complainant/Charles for Rs.1,80,000/- and agreed to pay the EMIs to Sri Ram Transport Finance Company Ltd., The petitioner has paid EMI for 9 months and thereafter due to his financial need, he mortgaged the Car with his friend Linsley Raj for Rs.80,000/-. Thereafter, when the petitioner approached the Linsley Raj to return the car after receiving the amount, he refused to return the car and also threatened him with dire consequences. As against, the petitioner has lodged a complaint. Whiles, the defacto complainant lodged this complaint with false allegations. 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 the defacto complainant had lodged a complaint stating that he had purchased the Car-Maruti Swift through Sri Ram Finance by paying initial amount of Rs.1,25,000/- and agreed to pay the balance amount

through EMIs. Due to his financial crisis, he was unable to pay the EMIs and hence he decided to sell the Car. At that time, the petitioner herein approached him to lend the car on rental basis of Rs.850/- per day and a rental agreement was entered into between them on 21.1.2019. However, the petitioner failed to pay the rent amount and also did not handover the car. Due to non payment of EMIs, the Finance Ltd, sent notice to the defacto complainant. After much effort, the petitioner was traced only during 2022 and on negotiation, he had agreed to pay the EMIs to the Finance Ltd and entered into an agreement on 30.3.2022. Once again, he failed to assure his promise and on enquiry, it came to know that he had sold the car. Thus, the petitioner had failed to pay the rental arrears of Rs.9,69,000/- to the defacto complainant and cheated him and also failed to return the Car, worth about Rs.4 lakhs. Learned CPP submits that complaint was received and receipt was issued in CSR.No.200/2023 and enquiry is pending. He objects granting anticipatory bail.

5. The allegation against the petitioner is that this petitioner under the guise of taking the car on rental from the defacto complainant failed to pay the rental amount and also sold the car without his knowledge. As per the complaint, the amount cheated is Rs.10 lakhs. On the other hand, learned counsel for the petitioner submits that the petitioner had purchased the car from the defacto complainant for Rs.1,80,000/- and agreed to pay the EMIs. He has not obtained the car on rental basis. He had also produced the copy of the Deed dated 8.1.2019. However, on perusal of the said deed, the 3rd page is found missing. As per the recitals in page 4 of the said deed, only on payment of EMIs to Sriram Finance, the defacto complainant had agreed to transfer the registration certificate in the name of the petitioner. The petitioner himself admitted that he failed to pay the EMIs. Though the petitioner has stated that he had mortgaged the car with his friend, who in turn cheated him, on perusal of the typedset of papers, there are two complaints given by the petitioner as against one Linsely Raj and another Xavier Raj. From the above facts, it appears that the case requires thorough investigation. Any how, the case is pending in CSR stage. Under such circumstances, this court is not inclined to grant anticipatory bail to the petitioner.

6. Hence, the petition is dismissed.

Delivered by me in open court today.

nmk

Principal Sessions Judge