



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Friday, the Twenty First day of October Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.20227 of 2016

JOHN @ WIFRETE MARSELINO

..PETITIONER/ACCUSED No.2

Vs.

STATE REP.BY

THE INSPECTOR OF POLICE,

TRICHY FORT ALL WOMEN POLICE STATION,

TRICHY CITY.

CR. NO. 7 OF 2016

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.T.LENIN KUMAR Advocate

For Respondent : Mr.A.P.BALASUBRAMANI, Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 3(2)(b), 4(1), 4(2)(c), 5(1)(a), 6(1)(b) of Immoral Traffic (Prevention) Act, 1956 and Section 370(3) IPC in Crime No.7 of 2016 on the file of the respondent police, the petitioner has come forward with this petition seeking anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent police.

3. The case of the prosecution is that on receipt of secret information regarding brothel business, the respondent police conducted a raid in one Virundha Massage Centre, wherein they found that few naked men and half naked women were there and on seeing the police party, they ran away and at that time, one lady by name Usha (name changed) came forward and alleged that the petitioner, using her financial crisis, dropped her in the massage centre and she was also threatened by A1 to involve in the illegal sex business., which resulted in registration of the present case.

4. Learned counsel for the petitioner has submitted that the petitioner did not know the said Usha earlier and he only dropped her at the Massage Centre in his two wheeler. He would further submit that co-accused were arrested and released on bail



5. Learned Government Advocate (Crl.Side) submitted that under the guise of massage centre, the petitioner along with other accused involved in illegal brothel business.

6. The submission of the learned counsel for the petitioner that when the petitioner was on his way in his two wheeler, the said Usha asked him to drop her at the Virudha Massage Centre and he has not seen her before, cannot be accepted, because, since the petitioner is known to the victim girl, he arranged for a job at the Virundha Massage Centre, which is clearly evident from the statement of the victim girl.

7. Now-a-days, in all over Tamil Nadu, brothel house in the guise of massage centre is getting mushroomed and innocent school / college going girls are roped into this business for want of money and they indulge in such sexual flavours without any emotional attachment, but for economic gain. Such massage centres create scar and implications on the society, including spreading of several diseases and such act has to be nipped in the bud, otherwise, it will be very difficult to tackle the problem.

8. Taking into consideration the serious nature of the offences, this Court is of the view that custodial interrogation of the petitioner is absolutely required to find out whether any other girls were cheated in the similar line.

9. Hence, this Criminal Original petition is dismissed.

sd/-

21/10/2016

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE INSPECTOR OF POLICE, TRICHY FORT ALL WOMEN POLICE STATION,
TRICHY CITY.
- 2 THE ADDL.PUBLIC PROSECUTOR,MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER IN
CRL OP(MD) No.20227 of 2016
Date :21/10/2016

PBK/SK-SKN/SAR-I 28/11/2016 ::2P-3C: