

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

Monday, the Twentieth day of February Two Thousand Seventeen
PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED
CRL OP (MD) No.1831 of 2017

SURESH

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REP. BY
THE SUB INSPECTOR OF POLICE,
COURTALLAM POLICE STATION, COURTALLAM,
TIRUNELVELI DISTRICT.
(CRIME NO.32 OF 2017).

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.S.JEYAKARTHIK Advocate

For Respondent :MR.P.KANDASAMY, Govt. Advocate (Crl. Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner / sole accused, who was arrested and remanded on 04.02.2017, for the offences punishable under Sections 3(2)(b), 5(1)(a) and 5 C, Immoral Traffic (Prevention) Act, 1956 in Crime No.32 of 2017 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner, by giving false promise to arrange job to the victims, have forced them for prostitution.

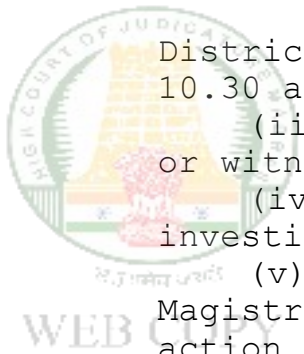
3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case and he did not commit the above said crime as alleged by the prosecution.

4.The learned Government Advocate(Crl. Side) submitted that the petitioner is the sole accused in this case and the victims were secured and they were sent to Home. He also submitted that no previous case is pending against the petitioner and investigation is pending.

5.Considering the facts and circumstances of the case and also taking note of the fact that there is no bad antecedent against the petitioner and the victims were secured, this Court is inclined to grant bail to the petitioner.
Accordingly, the petitioner is ordered to be released on bail subject to the following conditions:

(i)the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties, each for a like sum to the satisfaction of the District Munsiff Cum Judicial Magistrate, Shencottai;

(ii)the petitioner is directed to appear before the



District Munsif cum Judicial Magistrate, Shencottai daily at 10.30 a.m. until further orders;

(iii) the petitioner shall not tamper with the evidence or witness either during investigation or trial;

(iv) the petitioner shall not abscond either during investigation or trial;

(v) on breach of any of the aforesaid conditions, the 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 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].

sd/-
20/02/2017

/ TRUE COPY /

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

TO

1.DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, SHENCOTTAI.

2.DO-THROUGH CHIEF JUDICIAL MAGISTRATE, THIRUNELVELI.

3.THE OFFICER INCHARGE, SUB JAIL, TENKASI.

4.THE SUB INSPECTOR OF POLICE,
COURTALLAM POLICE STATION, COURTALLAM,
TIRUNELVELI DISTRICT.

5.ADDITIONAL PUBLIC PROSECUTOR,
MADURIA BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.S.JEYAKARTHIK Advocate SR.No.9167

ORDER
IN
CRL OP(MD) No.1831 of 2017
Date :20/02/2017

NBJ
MS/PM.SAR1/20.2.2017/2P.7C