

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

Wednesday, the Twenty Seventh day of September Two Thousand
Seventeen

PRESENT

The Hon`ble Mr.Justice M.V.MURALIDARAN

CRL OP(MD) No.13274 of 2017

SARAVANAN

... PETITIONER / ACCUSED 1

Vs

THE STATE REPRESENTED BY ITS
THE INSPECTOR OF POLICE,
THILAGAR THIDAL POLICE STATION,
MADURAI.

CRIME NO.917 OF 2017.

... RESPONDENT / COMPLAINANT

For Petitioner : MR.PR BOOMEERAJAN Advocate

For Respondent : Mr.C.RAMESH, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner/sole accused, who was arrested on 21.09.2017 in Crime No.917 of 2017 for the offences punishable under Sections 3 (1), 4(1), 4(2)C, 5(1)(a), 5(1)(d) of TP Act & 370 I.P.C., in crime No.917 of 2017, on the file of the respondent police, seeks bail.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent / Police.

3.It is stated that a false complaint was given to the respondent police alleging that the petitioner is the owner of a Lodge, namely, Saravana Lodge, at near by Meenakshi Amman Temple, at Madurai, engaging and conducting prostitution by engaging ladies. It is further stated that the petitioner was arrested on 21.09.2017 and remanded to the judicial custody.

4.The learned counsel for the petitioner would submit that the petitioner is no way connected with the crime and he is an innocent person and he has been falsely implicated in this case.

5. The learned Additional Public Prosecutor submitted that the petitioner has committed serious offence and he opposed for granting bail to the petitioner.

6. Apart from that it is made clear that when the petitioner alleged to be arranged the ladies for commitment of offences, there is no implication of the persons, namely, the alleged lady and men,

but in the First Information Report, the petitioner alone is implicated on the ground that he arranged the persons for committing offences. In the First Information Report, there is no names were also mentioned about the other accused.

7.Considering the facts and circumstances of the case and considering the gravity of offence said to have been committed by the petitioner, 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 learned Judicial Magistrate No.II, Madurai.

(ii)the petitioner is directed to appear before the respondent police daily at 10.30 a.m., for a period of 15 days and thereafter, as and when required.

(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/-

27/09/2017

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, MADURAI
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI
- 3 THE INSPECTOR OF POLICE,
THILAGAR THIDAL POLICE STATION,MADURAI.
- 4 THE SUPERINTENDENT,CENTRAL PRISON,MADURAI
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S.PR BOOMEE RAJAN Advocate SR.No.31636

JAM/27.09.17/MSA/SAR 3/ 2P-7C

ORDER IN
CRL OP(MD) No.13274 of 2017
Date :27/09/2017