

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Third day of May Two Thousand Eighteen

PRESENT

The Hon`ble Mrs Justice S. RAMATHILAGAM

CRIMINAL ORIGINAL PETITION No.12763 of 2018

MADHAN VIVEKANANDAN

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY ITS, [RESPONDENT]
THE SUB INSPECTOR OF POLICE,
CCB-II POLICE STATION,
(CENTRAL CRIME BRANCH-II, CHENNAI
CR.NO.39 OF 2018.

For Petitioner : M/S.RAJI & RAJAN ASSOCIATES Advocate

For Respondent : MR.M.MOHAMED RIYAZ,ADDL.PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offences under Section 12(1)(b) of Passport Act, 420, 468, 471 of IPC, r/w. Section 4(1), 5(1)(a) of Immoral Traffic Prevention Act, 1956 (ITP Act) in Crime No.39 of 2018 on the file of the respondent police, seeks anticipatory bail.

2. Heard both sides.

3. The case of the prosecution is that one Kushboo @ Mamtha was retained by the defacto complainant at Chennai Airport while she was about to leave Dubai on 20.03.2018 at about 18 hours. On verification it was found that she was holding the Indian Passport by giving a false information about herself. Subsequently, she was handed over to the respondent Police. She had given a statement stating that she went to Dubai for working as a Waitress in a Hotel named Palm Hotel which is owned by the petitioner herein. She had also stated that the petitioner along with other accused were doing the business of obtaining passports by furnishing false particulars and sending young girls for sexual business in the hotel. Thus a case has been registered against the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is the owner of the hotel and he has nothing to do with the alleged offence and he has been falsely implicated in this case.

5. Learned Additional Public Prosecutor submits that on the statement given by one Kushboo @ Mamtha it was found that the petitioner along with other accused were doing the business of immoral traffic in the hotel which was owned by the petitioner. He would also submit that the investigation is yet to be completed. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

6. Considering the facts of the case, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the petition is dismissed.

-sd/-
03/05/2018

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE SUB INSPECTOR OF POLICE,
CCB-II POLICE STATION,
(CENTRAL CRIME BRANCH-II,
CHENNAI

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.RAJI & RAJAN ASSOCIATES Advocate on payment of
necessary charges

CRL OP.12763/2018

Date :03/05/2018

RD 09/05/2018