



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

Wednesday, the Twenty Eighth day of February Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.3175 of 2018

SURENDRAN

... PETITIONER / ACCUSED No.1

Vs

STATE THROUGH
THE INSPECTOR OF POLICE,
KODAIKANAL POLICE STATION,
DINDIGUL DISTRICT.
(CR.NO.358/2017)

... RESPONDENT

For Petitioner : M/S.R.ALAGUMANI Advocate

For Respondent : Mr.A.ROBINSON, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner is arrayed as A1 in Crime No.358 of 2017, on the file of the Kodaikkanal Police Station, Dindigul District. He apprehends arrest at the hands of the respondent police for the alleged offences under Sections 3(1), 3(2) (a), 4(1), 4(2)(c), 5(1) (a) of Immoral Traffic (Prevention) Act, 1956, he has filed this petition, seeking relief to grant of anticipatory bail.

2.The case of the prosecution is that on 13.09.2017, at about 01.00 p.m., the accused No.2 and two girls went to the petitioner's Residency Hotel. At that time the de-facto complainant saw them on suspicion that they are involving in immoral trafficking in the said place. Thereafter the defacto complainant lodged complaint before the respondent police.

3.The learned counsel appearing for the petitioner submitted that the petitioner is residing at Kerala, he is a lease holder and he did not know about the alleged occurrence mentioned in the F.I.R and he has been falsely implicated in this case, he has not committed any offence as alleged, he is no way connected with the alleged offence. Hence, he prays for anticipatory bail.

4.The learned Government Advocate (Criminal side) submitted that there are two accused in this case and the petitioner is the A1, he is the lease holder of the said Residency Hotel. The second



accused was arrested and released on bail for the learned Judicial Magistrate, Kodaikanal. According to him, investigation is not completed and he vehemently opposed to grant anticipatory bail to the Petitioner/A1.

5. Submissions made by the learned counsel appearing on either side are considered. It is alleged during the time of occurrence, the petitioner taking Binoji Residential Hotel on the lease hold basis and he appointed one Manikandan/A2 for running the illegal business. Considering the fact that the petitioner is a native of Kerala is this type of petitioner are released on bail, there may be a chance for absconding as well as for tampering the evidence or hampering the witness. Further, custodial interrogation is necessary to find out the previous antecedents of the petitioner. If this type of petitioner are released on anticipatory bail, the process of investigation may be prejudicial. Therefore, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

sd/-

28/02/2018

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE,
KODAIKANAL POLICE STATION,
DINDIGUL DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

LS

JAM/13/03/2018/ CSL-RR / SAR 4/ 2P-3C

ORDER

IN

CRL OP (MD) No.3175 of 2018

Date :28/02/2018