



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

Tuesday, the Twentieth day of March Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP (MD) No.4383 of 2018

M.SEETHALAKSHMI, ... PETITIONER / ACCUSED NO.3

Vs

THE STATE THROUGH
THE INSPECTOR OF POLICE,
THALAMUTHU NAGAR POLICE STATION,
TUTICORIN DISTRICT.
CR.NO.95 OF 2018. ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.N.MARIAPPAN Advocate

For Respondent : MR.A.ROBINSON, Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.3, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 3(1), 3(2)(b), 4(2)(C) of ITP Act in Crime No.95 of 2018, seeks anticipatory bail.

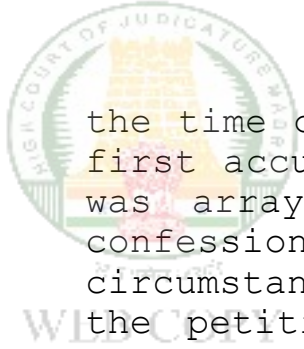
2.The case of the prosecution is that the petitioner is said to have rented her house to the first accused for running a prostitution. Thus, on complaint, a case has been registered against the petitioner.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and she did not commit any offence as alleged by the prosecution and her name has been falsely implicated in this case.

4.The learned Government Advocate (Criminal Side) would submit that there is no previous case against the petitioner and investigation is still pending.

<https://hcservices.ecourts.gov.in/hcservices/>

5.The submissions made by the learned counsel appearing on either side are considered. It is alleged, during



the time of occurrence, the petitioner rented the house to the first accused for running a prostitution. Now, the petitioner was arrayed as second accused in this case, as per the confession given by A1. Considering the facts and circumstances of the case and also considering the fact that the petitioner is a first offender, this Court came to the conclusion that the custodial interrogation of the petitioner may not be necessary for completing the investigation. Hence, this Court is inclined to grant anticipatory bail with some stringent conditions to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Tuticorin on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(i) the petitioner shall appear before the respondent Police daily at 10.00 am until further orders.

(ii) the petitioner shall not tamper with evidence or witness either during investigation or trial.

(iii) the petitioner shall not abscond either during investigation or trial.

(iv) On breach of any of the aforesaid conditions, the anticipatory bail granted to the petitioners shall stand automatically cancelled and the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned 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/-
20/03/2018

/ TRUE COPY /

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



trp
TO

1 THE JUDICIAL MAGISTRATE NO.II, TUTICORIN

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TUTICORIN DISTRICT.

3 THE INSPECTOR OF POLICE,
THALAMUTHU NAGAR POLICE STATION, TUTICORIN DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.N.MARIAPPAN Advocate SR.No.4422

GJM/PMI/SAR-4-3.4.18-3P-6C

ORDER

IN

CRL OP(MD) No.4383 of 2018

Date :20/03/2018