



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

Monday, the Second day of April Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) No.5024 of 2018

SURENDRAN

... PETITIONER/ ACCUSED NO.1

Vs

STATE THROUGH
THE INSPECTOR OF POLICE
KODAIKKANAL POLICE STATION,
DINDIGUL DISTRICT.
(IN CRIME NO.358 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.L.M.VIJAI BOOMINATHAN Advocate

For Respondent : MR.A.P.G.OHM CHAIRMA PRABHU
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.1, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 3(1), 3(2)(a), 4(1), 4(2)(c), 5(1)(a) of Immoral Traffic (Prevention) Act, 1956 on the file of the respondent police, seeks anticipatory bail.

2.On 13.09.2017, the petitioner and other accused along with two girls went to the Binoji Residency Hotel, Kodaikanal. The defacto complainant on suspicion saw them that they are doing commercial sex work in the said place. Therefore, the defacto complainant has lodged the present complaint against the petitioner and other accused.

3.The learned counsel appearing for the petitioner submitted that the petitioner is a lease holder of the above said hotel and he did not know about the alleged occurrence. He would further submit that the accused no.2 was already enlarged on bail by the Judicial Magistrate, Kodaikanal. The petitioner herein had earlier moved this Court for anticipatory bail in Crl.OP(MD)No.3175 of 2018 and the same was dismissed on 28.02.2018. Therefore, he wanted this Court to take a sympathetic view in favour of the petitioner herein.



4.The learned Government Advocate (Crl.side) appearing for the State strongly opposed the grant of anticipatory bail to the petitioner herein citing that the previous dismissal of the anticipatory bail application.

5.However, considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.I, Kodaikanal and on his executing 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 Magistrate concerned and on further condition that the petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
02/04/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, KODAIKUNAL
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
DINDIGUL DISTRICT
- 3 THE INSPECTOR OF POLICE
KODAIKKANAL POLICE STATION, DINDIGUL DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.R.ALAGUMANI Advocate SR.No.5229

SKM
GJM/PN/SAR-3-9.4.18-2P-6C

ORDER
IN
CRL OP(MD) No.5024 of 2018
Date :02/04/2018