



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

Wednesday, the Ninth day of May Two Thousand Eighteen

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) No.7670 of 2018

LAKSHMI

... PETITIONER / ACCUSED NO.1

Vs

STATE REP.BY
THE SUB INSPECTOR OF POLICE,
SOUTH GATE POLICE STATION,
MADURAI-1.
CRIME NO.244 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.C.KANNAN, Advocate
For Respondent : M/S.K.SUYAMBULINGA BHARATHI,
Government Advocate(Crl.Side)

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

ORDER : The Court Made the following order :-

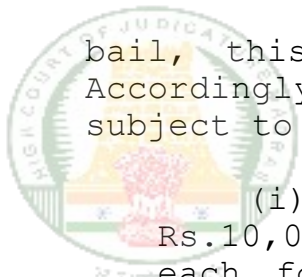
The petitioner / Accused No.1, who was arrested and remanded to judicial custody on 15.04.2018 for the offences punishable under Section 3(1), 4(2)(c) of Immoral Traffic Prevention Act, 1956 and 370(2) I.P.C., in Crime No.244 of 2018, on the file of the respondent police seeks bail.

2.The allegation against the petitioner is that the petitioner herein is running a brothel house.

3.On the side of the petitioner, it is stated that A2 in this case was already released on bail in Cr.M.P.No.48 of 2018 by the Vacation Sessions Judge on 04.05.2018 and another one accused was released on bail by this Court in Crl.O.P(MD).No.7484 of 2018, dated 28.04.2018. It is further stated that the victim was already filed an affidavit before the Sessions Court and the copy of the same is submitted before this Court. The accused is in judicial custody from 15.04.2018 onwards and hence, prayed that the petitioner is to be released on bail.

4.On the side of the respondent, it is stated that the petitioner is running a brothel house. The Co-accused were already released on bail and the investigation is still pending.

5.Considering the facts and circumstances of the case and considering the fact that the co-accused were already released on



bail, 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.IV, Madurai.

(ii) the petitioner is directed to appear before the respondent police daily at 10.30 a.m. until further orders;

(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; and

(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/-

09/05/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.IV, MADURAI.
 2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
 3. THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
 4. THE SUB INSPECTOR OF POLICE,
SOUTH GATE POLICE STATION, MADURAI-1.
 5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.C.KANNAN Advocate SR.No.65185

ORDER IN

CRL OP(MD) No.7670 of 2018

Date : 09/05/2018