

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.08.2019

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.22086 of 2019

Sivamani

... Petitioner/A2

Vs.

State Rep. by
Inspector of Police,
Anti-Vice Squad 2 Police Station,
Chennai - CCB District. ... Respondent/Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to set aside the order made in Crl.M.P.No.15656 of 2019 dated 09.08.2019 and to modify the condition imposed on the Petitioner in Crl.M.P.No.4236 of 2019 dated 24.06.2019 passed by the learned IV Metropolitan Magistrate Court, Chennai.

For Petitioner : Mr.P.Iyappan

For Respondent : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

ORDER

This petition has been filed challenging the condition imposed by the Court below while granting bail to the petitioner.

2.The respondent police arrested the petitioner in Crime No.15 of 2019 for an offence under Sections 3(2)(a), 4(1), 5(1)(a), 6(1) and 7(1) of the Immoral Traffic (Prevention) Act, 1956. The petitioner was remanded to judicial custody on 08.06.2019. The petitioner filed a bail petition before the Court below and the Court below was pleased to enlarge the petitioner on bail by imposing certain conditions.

3.The petitioner is aggrieved by the first condition wherein the petitioner has been directed to furnish one surety who should be a blood relative or his wife.

4.The learned Counsel for the petitioner submitted that the parents of the petitioner are crippled and they are not in a position to move out of the house and the petitioner is not married and therefore the petitioner must be permitted to furnish two local sureties. The learned Counsel further submitted that the only I.D. proof that is available is the Ration Card for both the petitioner and the sureties.

5.Heard the learned Additional Public Prosecutor appearing on behalf of the respondent police.

6.Taking into consideration the facts and circumstances of the case, the first condition imposed by the Court below is modified to the extent that the petitioner shall execute a bond for a sum of Rs.10,000/- with two local sureties for a likesum. The Court below shall accept the Ration Card as the I.D. proof. The other conditions imposed by the Court below shall stand as it is.

7.This Criminal Original Petition is disposed of accordingly.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The IV Metropolitan Magistrate Court,
Chennai.

2.The Chief Metropolitan Magistrate,
Chennai.

3.The Inspector of Police,
Anti-Vice Squad 2 Police Station,
Chennai - CCB District.

4.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.P.Iyappan, Advocate Sr.069942

Cr1.O.P.No.22086 of 2019

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srg 16/08/2019