



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

Wednesday, the Ninth day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.383 of 2019

JEYAKUMAR

... PETITIONER /1st ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
COURTALLAM POLICE STATION,
TIRUNELVELI DISTRICT.
(CRIME NO.669/2018)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.D.VENKATESH, Advocate

For Respondent : Mr.S.CHANDRASEKAR, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

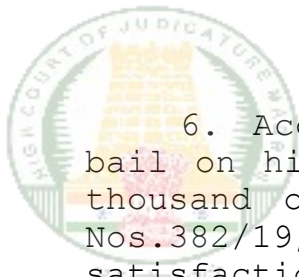
The petitioner was arrested and remanded to judicial custody since 11.12.2018 for the offences punishable under Sections 4(2)(a), 4(2)(b), 4(2)(c), 5(1)(a), 5(1)(c) and 3(2)(a) of the Immoral Traffic (Prevention) Act, 1956 in Crime No.669 of 2018, on the file of the respondent police, seek bail.

2. The case of the prosecution is that on secret information the respondent went for a raid to Sri Sairam Oil Massage Centre and found the petitioner along with others running a brothel house at Courtallam

3. The learned counsel for the petitioner would submit that the petitioner has been falsely implicated in this case and he has nothing to do with the alleged offence

4. The learned Government Advocate(Crl.Side) would submit there are previous cases against the petitioner and the investigation is not yet completed.

5. Considering the facts and circumstances of the case and also considering the period of incarceration of the petitioner, this Court is inclined to grant bail to the petitioner.



6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties (Common sureties in Crl.O.P(MD) Nos.382/19,362/19 and 383/19) each for a like sum to the satisfaction of the learned Judicial Magistrate, Shengottai, and on further condition that:

[a] The petitioner shall report before the respondent daily at 10.30 a.m for a period of two weeks and thereafter as and when required for interrogation.

[b] the petitioner shall not abscond either during investigation or trial.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned 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 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]**.

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

09/01/2019

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, SHENGOTTAI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE SUPERINTENDENT,CENTRAL PRISON,
PALAYAMKOTTAI.
4. THE INSPECTOR OF POLICE,
COURTALLAM POLICE STATION,
TIRUNELVELI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to Mr.D.VENKATESH Advocate SR.No.514

ORDER

IN

CRL OP(MD) No.383 of 2019

Date :09/01/2019

MS/VR/SAR-2/09.01.2019/2P.7C