



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

Wednesday, the Fifteenth day of May Two Thousand Nineteen
PRESENT

The Hon'ble Mr Justice B.PUGALENDHI

CRL OP(MD) No.6891 of 2019

ABDUL WAZITH

... PETITIONER / 3rd ACCUSED

Vs

THE STATE,
REP.BY INSPECTOR OF POLICE,
C-4, THILAGAR THIDAL POLICE STATION,
MADURAI.

(CRIME NO.914 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.A.AMUTHA KAVI, Advocate

For Respondent : Mr.A.Robinson, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner/accused no.3, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Section 3(1), 4(1), 4(2)(c), 5(1)(a) and 5(1)(d) of Immoral Traffic (Prevention) Act, 1956, in Crime No.914 of 2019 on the file of the respondent police, seeks anticipatory bail.

2.Heard Mr.A.Amutha Kavi, learned Counsel for the petitioner and Mr.A.Robinson, learned Government Advocate (Crl Side) appearing for the State.

3.The case of the prosecution is that the defacto complainant has given a complaint against this petitioner alleging that the petitioner was involved in the immoral trafficking. Hence, a case was registered.

4.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he did not commit any offence as alleged by the prosecution and he has been falsely implicated in this case. To show the petitioner's bonafide, the learned counsel for the petitioner undertake to deposit a sum of Rs.30,000/- (Rupees Thirty Thousand only), to the account of Rajaji Government Hospital, Madurai. Hence, he prays to grant anticipatory bail to this petitioner.



5.The learned Government Advocate (Crl Side) appearing for the respondent opposed to grant anticipatory bail to the petitioner.

6.Taking into consideration of the facts and circumstances of the case and also considering the undertaking given by the learned counsel for the petitioner, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.

7.Accordingly, the petitioner is ordered to be released on bail on executing a bond in the event of arrest or on his appearance, for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum to the satisfaction of learned Judicial Magistrate No.II, Madurai and on further conditions that:-

[a] the petitioner as well as the sureties shall submit a copy of their Aadhar card or any other identity cards issued by the Government, in proof of their address, along with the surety bonds.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m, until further orders.

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

[d] the petitioner shall co-operate for the investigation and the trial. The petitioner shall not abscond either during investigation or trial and in event of the petitioner absconds, the respondent police shall register a case as provided under Section 229-A IPC.

[e] in the event of breach of any of the aforesaid conditions, the learned Magistrate / trial Court is entitled to take appropriate action against the petitioner, as per the principles laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005) AIR SCW 5560]**.

sd/-
15/05/2019

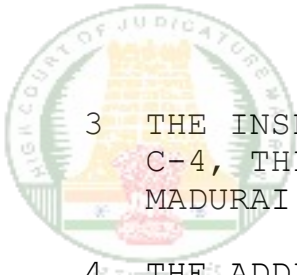
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Sub-Assistant Registrar (C.S-I)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE NO.II,
MADURAI

2 -DO-THRO-THE CHIEF JUDICIAL MAGISTRATE,
<https://hcservices.ecourts.gov.in/hcservices/>
MADURAI DISTRICT.



3 THE INSPECTOR OF POLICE,
C-4, THILAGAR THIDAL POLICE STATION,
MADURAI.

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

Copy To:

THE OFFICER INCHARGE,
RAJAJI GOVERNMENT HOSPITAL, MADURAI
MADURAI DISTRICT.

ORDER
IN
CRL OP (MD) No.6891 of 2019
Date :15/05/2019

ES/JC/SAR 1/21.05.2019/3P/6C