



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

Date : 15/06/2020

PRESENT

The Hon'ble Mr.Justice M.DHANDAPANI

CRL OP(MD.No.6233 of 2020

1. Xavier
2. Rajasutharlin ... Petitioners/Accused 3 & 4

Vs.

State of Tamil nadu Rep. By
The Sub Inspector of Police,
Kalakadu Police Station,
Thirunelveli District.
Cr.No. 348 of 2020.

... Respondent/Complainant

For Petitioner : M/s.G.V.Vairam Santhosh,
Advocate.

For Respondents: K.Suyambulinga Bharathi,
Government Advocate (Criminal Side)

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

PRAYER :-

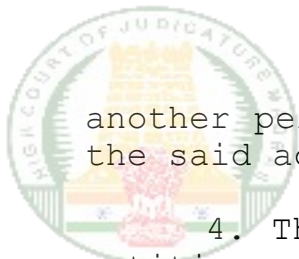
To enlarge the Petitioners on bail in respect of Cr.No.348 of 2020 on the file of the Sub-Inspector of Police, Kalakadu, Thirunelveli District pending investigation.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioners and the learned Government Advocate(Criminal Side) appearing for the respondent.

2. The petitioners are arrayed as A-3 & A-4. They were arrested and remanded to Judicial Custody on 20.05.2020 for the offences punishable under Sections 4(1), 5(1) (a) of Immoral Traffic (Prevention) Act, 1956 of I.P.C., in Crime No.348 of 2020 on the file of the respondent police and they seek bail.

3. The case of the prosecution is that the de facto complainant, (i.e.) the Sub Inspector of Police, Kalakadu, Thirunelveli District with other female police officials inspected a house at Kalakadu and found a person named Lakshmi conducting prostitution and therefore, arrested the petitioners along with



another person and also recovered three women, who were involved in the said act.

4. The learned counsel for the petitioners submitted that the petitioners were innocent persons and they were no way connected with the alleged offence as stated in the FIR. He further submitted that the petitioners were already in prison for 17 days.

5. Considering the period of incarceration undergone by the petitioners/ Accused No.3 & 4, I am inclined to enlarge the petitioners on bail with certain conditions. Accordingly, the petitioners are ordered to be released on bail, subject to the following conditions;

[a] the petitioners are directed to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Naguneri, Thirunelveli District.

[b] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[c] the petitioners shall report before the respondent police for interrogation, as and when required.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioners shall not abscond either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Judicial Magistrate, Nanguneri, Thirunelveli District Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].

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

sd/-
15/06/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

- 1 THE JUDICIAL MAGISTRATE,
NANGUNERI,
THIRUNELVELI DISTRICT.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THIRUNELVELI DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON,
PALAYAMKOTTAI,
THIRUNELVELI DISTRICT.
- 4 THE SUB INSPECTOR OF POLICE,
KALAKADU POLICE STATION,
THIRUNELVELI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.6233 of 2020

Date :15/06/2020

STS

SRS/ JC/ SAR-II/ 15.06.2020/ 3P/6C