

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 14.06.2021

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

CrI.O.P.No.8416 of 2021

Murugappa Gounder

.. Petitioner

-Vs-

The State Rep. by
The Inspector of Police,
Vaniyambdi Taluk Police Station,
Vaniyambadi,
Ambur Taluk,
Tirupathur District.
(Cr.No.346 of 2013)

.. Respondent

Prayer: Criminal Original petition filed under Section 438 of Cr.PC to enlarge the petitioner on bail in the event of his arrest in Crime No346 of 2013 pending on the file of the respondent police.

For Petitioner : Mr.C.S.Vijayakumar

For Respondent : Mr.A.Gopinath
Government Advocate
(Criminal Side)

O R D E R

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 353, 384 IPC read with 5 and 7 of Prevention of Immoral Traffic Act, 1956 in Crime No.346 of 2013, on the file of the respondent, seeks anticipatory bail.

2. The case of the prosecution is that based on the secret information, the respondent police conducted raid in this petitioner's house at Karnataka and arrested five persons including three women. On enquiry, the women stated that the first and second accused brought the victim Women from Andhra Pradesh and Chennai and instigated them with lured words to involve them in immoral trafficking. The petitioner is the lease holder of the said house, A1 and A2 have entered into the rental agreement between this petitioner/A4.

3. The learned counsel appearing for the petitioners submits that he is an innocent person and a false case has been foisted against him. The petitioner is the lease holder of the above said house and without his knowledge, the above said occurrence was happened. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate appearing for the respondent submits that the petitioner along with other accused brought the women and involved them immoral trafficking. He further submits that the petitioner has no previous case pending against him.

5. Taking into consideration of the facts and submissions made by the learned counsel and the fact that the petitioner has no previous case pending against him, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions;

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Vaniyambadi, on condition that 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police daily at 10.30 a.m. For a period of two weeks and thereafter, as and when required for interrogation;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;

(e) 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]; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-
14/06/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
VANIYAMBADI.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
VANIYAMBADI TALUK POLICE STATION,
VANIYAMBADI, AMBUR TALUK,
TIRUPATHUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.C.S.VIJAYAKUMAR Advocate on payment of necessary charges

CRL OP.8416/2021

Date :14/06/2021

MK:08/07/2021

WEB COPY