

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.05.2021

CORAM

THE HON'BLE MRS. JUSTICE T.V.THAMILSELVI

Crl.O.P.No.9072 of 2021

S.Muruganantham

... Petitioner

Vs.

The State rep by its
Inspector of Police,
J-2, Adyar Police Station,
Adyar, Chennai.
Cr.No.57 of 2021.

... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C., praying to enlarge the petitioner on bail in the event of his arrest in Crime No.57 of 2021 on the file of the respondent police.

For Petitioner : Mr.B.Vijay

For Respondent : Mr.A.Damodaran,
Government Advocate, Criminal Side.

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 3(2)(a), 4(1) and 5(1)(a) of the Immoral Traffic (Prevention) Act, 1956, in Crime No.57 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the other accused were indulged in immoral trafficking activities in the name of spa relax. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is A2 who is working in the spa owned by A1. He would also submit that the trained therapists were employed in the spa and there were no illegal activities carried on in the spa. He further submits that A1 has been arrested and released on bail. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. side) would submit that the petitioner along with other accused were running a spa and involved in immoral trafficking activities. He would also submit that the petitioner has no previous case. However, he vehemently

5. Considering the facts and circumstances of the case and the fact that the A1 has been already released on bail and A2/petitioner is working as a Manager in the Spa, this Court is inclined to grant anticipatory bail to the petitioner with certain 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 four weeks from the date of normal functioning of the Court below, (i.e.,) before the learned IV Metropolitan Magistrate, Saidapet, Chennai, 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner 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.

[b] the petitioner shall appear before the respondent police 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/s in accordance with law as if the conditions have been imposed and the petitioner/s 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]**.

[f] If the accused thereafter abscond/s, a fresh FIR can be registered under Section 229A IPC.

-sd/-

26/05/2021

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 METROPOLITAN MAGISTRATE,
NO.IV, SAIDAPET, CHENNAI.

<https://hcservices.ecourts.gov.in/hcservices/>

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

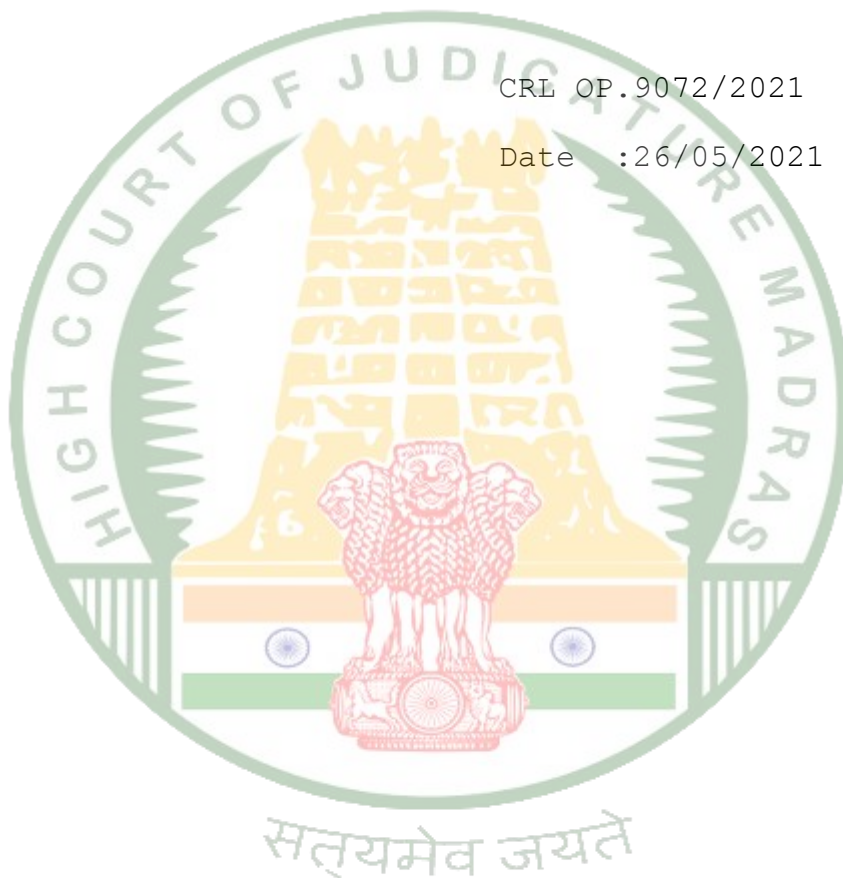
4 THE INSPECTOR OF POLICE,
J-2, ADAYAR POLICE STATION,
ADYAR, CHENNAI.

CC to M/S B.VIJAY Advocate on payment of necessary charges

CRL OP.9072/2021

Date :26/05/2021

TA-08/07/2021



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