



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.07.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.12273 of 2021

1.Selvam
2.Dhanusu

... Petitioners

Vs.

State rep by
The Inspector of Police,
Cuddalore NT Police Station,
Cuddalore District.
(Crime No.96 of 2021)

... Respondent

PRAYER: Criminal Original petition has been filed under Section 438 of Cr.P.C prayed to enlarge the petitioners on bail in the event of their arrest in Crime No.96 of 2021 on the file of the respondent police.

For Petitioners : Mr.R. Jayaprathap

For Respondent : Mr.C.E. Pratap
Government Advocate (Crl.Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Section 3(1) and (4) of Immoral Traffic (Prevention) Act, 1956 in Crime No.96 of 2021 seeks anticipatory bail.

2.The case of the prosecution is that they received a secret information that some persons were doing immoral traffic offence and when they went to the scene of occurrence they found that the petitioner along with other accused were doing immoral traffic offence. Hence, the circle Inspector of the respondent police suo-motu filed a F.I.R against the petitioners.

3.The learned counsel appearing for the petitioners submits the petitioners are no way connected with the alleged occurrence and they have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioners.



4.The learned Government Advocate (Crl.Side) submits that the petitioner along with other accused were doing immoral traffic offence. However, he vehemently opposed for grant of anticipatory bail to the petitioners.

5.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Additional Mahila court, Cuddalore on condition that each of the petitioners shall execute a separate bond for a sum of Rs.10,000/- each (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 petitioners and 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 petitioners 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 petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners 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 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]; and;



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

WEB COPY

-sd/-
15/07/2021

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 ADDITIONAL MAHILA COURT,
CUDDALORE.

2 THE INSPECTOR OF POLICE,
CUDDALORE NT POLICE STATION,
CUDDALORE DISTRICT.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S R.JAYAPRATHAP Advocate on payment of necessary
charges SR NO.7438

CRL OP.12273/2021

Date :15/07/2021

MK:26/07/2021