



IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Tuesday, the Tenth day of August Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.13923 of 2021

GOKULNATH @ GOKUL

[ PETITIONER / ACCUSED ]

Vs

STATE REP BY  
THE INSPECTOR OF POLICE,  
ALL WOMEN POLICE STATION,  
UDUMALPET TALUK,  
(CRIME NO. 10 OF 2021)

[ RESPONDENT ]

For Petitioner : M/S. D.R.ARUN KUMAR Advocate

For Respondent : MR.C.E.PRATAP, Govt. Advocate ( Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 4(1) and Section 5(1)(d) of the Immoral Traffic ( Prevention) Act, 1956 in Crime No. 10 of 2021, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that when the respondent police was on patrol they found that the petitioner involved in the act of prostitution. Hence the law enforcing registered a case against the petitioner.

3.The learned counsel appearing for the petitioner submit that the petitioner had not been committed any offence as alleged by the prosecution. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submits that there was two previous cases pending against the petitioner. Hence he opposed for grant of anticipatory bail to the petitioner.



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

6. Accordingly, the petitioner is 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 *learned Principal Sessions Judge, Tiruppur* on condition that the petitioner shall execute a separate 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 petitioner 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 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/-  
10/08/2021

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.



1 THE PRINCIPAL SESSIONS JUDGE,  
TIRUPPUR.

2 THE INSPECTOR OF POLICE,  
ALL WOMEN POLICE STATION,  
UDUMALPET TALUK,  
TIRUPPUR.

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

+1CC to M/S. D.R.ARUN KUMAR Advocate on payment of necessary  
charges SR.NO.8324

CRL OP.13923/2021

Date :10/08/2021

CSK 23/08/2021