



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Wednesday, the Fifteenth day of September Two Thousand Twenty One
PRESENT

WEB COPY

The Hon`ble Mr Justice M.DHANDAPANI
CRIMINAL ORIGINAL PETITION No.16852 of 2021

SAROJA

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
SOORAMANGALAM POLICE STATION,
SALEM DISTRICT.
(CRIME NO.386/2021)

[RESPONDENT]

For Petitioner : M/S T.GANESAN Advocate

For Respondent : MR. A.GOPINATH, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offence punishable under Sections 3(2)(a), 4(2)(c), 5(1)(a) of Immoral Traffic (Prevention) Act and Section 506(1) of IPC in Crime No.386 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the immoral activities was conducted on the petitioner's house. Based on the complaint made by the defacto complainant, the Law Enforcing Agency registered the case against the petitioner.

3.The learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution and she has been falsely implicated in this case. He further submits that the petitioner is not known that the accused persons were ran porthole business and it is usual that the house owners let their house to rent, as such the petitioner rented her house. She did not know that the accused persons were used her premises for their immoral act. He further submits that except that allegation, no other allegations made against the petitioner. Hence, he prays for grant of anticipatory bail to the petitioner.



4. The learned Government Advocate (Crl.Side) submits that there is no previous case against the petitioner.

WEB COPY

5. Considering the facts and circumstances of the case and also considering the submissions on either side and also the fact that there is no previous case against the petitioner, 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 his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Additional Mahila Court, Salem 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 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 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 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/-
15/09/2021

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,
SALEM.

2 THE INSPECTOR OF POLICE,
SOORAMANGALAM POLICE STATION,
SALEM DISTRICT.

3 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

CC to M/S T.GANESAN Advocate on payment of necessary charges

CRL OP.16852/2021

Date :15/09/2021

INBA 24/09/2021