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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.10.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CrI.O.P.No.18935 of 2021

Saran
Arun

... Petitioners

Vs.

State Rep. by
Inspector of Police,
AVS - II Police Station,
Chennai.
(Crime No.10 of 2021)

... Respondent

Prayer:

Petition filed under Section 439 of Cr.P.C., seeking to enlarge the petitioners/ accused A2-A3 on bail in connection with Crime No.10 of 2021 on the file of the respondent police.

For Petitioners : Mr.V.Ramanareddy

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

O R D E R

The petitioners who were arrested and remanded to judicial custody on 08.09.2021 for the offence under Sections 3(2) a, 4(1), 5(1) a, 5(d) of ITP Act and 370 A(2) of I.P.C. in Crime No.10 of 2021 on the file of the respondent police, seek bail.

2.It is the case of the prosecution that A1 in the case is running Golden Dream Spa and it is alleged that in the said Spa, illegal activities such as prostitution are carried on. The first petitioner is the Manager of the said Spa and is arrayed as A2. The second petitioner is an employee in the said Spa and is arrayed as A3.

3.The learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution. He further submitted that the second petitioner filed another petition seeking bail in CrI.O.P.No.18830 of 2021 and this Court vide order dated 07.10.2021, has granted bail to him in the said



petition and hence, he is not pressing this petition as against the second petitioner.

4.The learned Government Advocate (Crl. Side) submitted that there is no previous case as against the petitioners.

5.In view of the submission made by the learned counsel appearing for the petitioners, this petition is dismissed as not pressed as against the second petitioner. Considering the period of incarceration undergone by the first petitioner, I am inclined to grant bail to the first petitioner.

6.Accordingly, the first petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties, of whom, one should be a blood related surety, each for a like sum to the satisfaction of the learned IV Metropolitan Magistrate Court at Saidapet and on further condition that:

(a)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 first petitioner shall report before the respondent police, daily at 10.30 a.m. until further orders;

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

(d)the first 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 first 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.

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-sd/-
07/10/2021

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 IV METROPOLITAN MAGISTRATE
COURT, SAIDAPET, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI (FOR INFORMATION).

3 THE INSPECTOR OF POLICE,
AVS-II POLICE STATION,
CHENNAI.

4 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI.

5 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

+1 CC to M/S.V.RAMANAREDDY Advocate on payment of necessary charges SR.NO.11174

CRL OP.18935/2021

Date :07/10/2021

INBA-08/10/2021