



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.10.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.19116 of 2021

1. Senthilkumar
2. Parasmal Joshi @ Joshi ...Petitioners

Vs.

The State Rep by,
The Inspector of Police,
T-10 Thirumullaivoyal Police Station,
Thiruvallur District
(Crime No.713 of 2021) ... Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C prayed to enlarge the petitioner on bail in connection with Crime No.713 of 2021 pending on the file of the respondent police.

For Petitioner : Mr.V. Jagadeesan

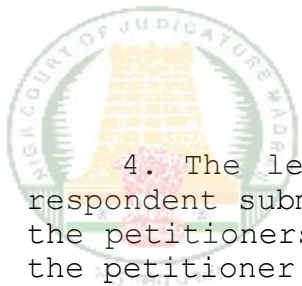
For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

The petitioner who was arrested and remanded to judicial custody on 30.08.2021 for the offences under Sections 3(2)(a), 4(1), 5(1) (a) of Immoral Traffic (Prevention) Act in Crime No.713 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioners indulged in the business of prostitution using women under the guise of running a Massage Centre. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioner is not involved in the offence and he has been falsely implicated. He further submits that he is in jail from 30.08.2021. Hence he prays for grant of bail to the petitioners.



4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that there is no previous case pending as against the petitioners. However, he vehemently opposed for grant of bail to the petitioner.

5. Considering the fact that there is no previous case pending as against the petitioner and also considering the period of incarceration suffered by the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail on they executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Ambattur 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 petitioners shall report before the respondent police daily at 10.30 a.m., until further orders.

(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 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.

WEB COPY

-sd/-
08/10/2021

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 JUDICIAL MAGISTRATE,
AMBATTUR.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,
T-10, THIRUMULLAIVOYAL POLICE STATION,
THIRUVALLUR DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.V.JAGADEESAN Advocate on payment of necessary charges SR.NO.11252

CRL OP.19116/2021

Date :08/10/2021

JPA 08/10/2021