



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.10.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.20483 of 2021

Vijayakumar

... Petitioner

Vs.

The State represented by
Inspector of Police,
Anti vice Squad I Police Station,
Chinthadripet, Chennai-600 002.
(Crime No.4 of 2021)

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C, prayed to enlarge the petitioner on bail concerned in Crime No.4 of 2021 on the file of respondent police.

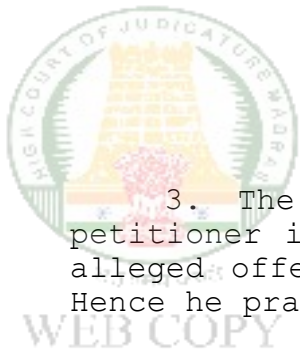
For Petitioner : Mr.C.Prabakaran

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

ORDER

The petitioner who was arrested on 21.09.2021 and remanded to judicial custody for the offences under Sections 3(2)(a), 4(1), 5(1)(a) of Immortal Trafficking (Prevention) Act, 1956 @ Section 3(2)(a), 4(1), 5(1)(a) of Immoral Trafficking (Prevention) Act, 1956 and Section 370A(2) of IPC in Crime No.4 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner is running the massage centre. According to the secret information received, the respondent police conducted raid in the place called Chennai Wellness Center at Nolambur, Chennai and they found that the petitioner was committing an offence of immoral trafficking, engaging women in brothel, Hence, the complaint.



3. The learned counsel for the petitioner submits that the petitioner is an innocent person and he is no way connected with the alleged offences and he has been falsely implicated in this case. Hence he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) submits that that the petitioner was committing an offence of immoral trafficking, engaging women in brothel. Hence, he vehemently opposed for grant of bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the submissions made by both counsel and further considering the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the 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, each for a like sum to the satisfaction of the learned Judicial Magistrate Court -I, Poonamalle 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 petitioner shall report before the respondent police, daily at 10.30 a.m. until further orders;

(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.

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-sd/-

29/10/2021

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,
NO.I, POONAMALLE.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVALLUR DISTRICT. [FOR INFORMATION]

3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE INSPECTOR OF POLICE,
ANTI VICE SQUAD I POLICE STATION,
CHINTHADRI PET, CHENNAI-600 002.

+1 CC to M/S.C.PRABAKARAN Advocate on payment of necessary charges SR.NO.12115

CRL OP.20483/2021

Date :29/10/2021

RW 01/11/2021