



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 19/01/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD). No.610 of 2021

Subramani

... Petitioner/Petitioner/
Accused No.1

Vs

The State rep.by
The Inspector of Police,
Subramaniyapuram Police Station,
Madurai City.
Crime No.1499/2020.

... Respondent/Respondent/
Complainant

For Petitioner : Mr.M.Pitchai Muthu, Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.1499/2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on 22.11.2020 for the offences punishable under Sections 3 (2) (a), 4 (2) (b), 4 (2) (c), 5 (1) (a), 5 (1) (d) of Immoral Traffic (Prevention) Act, 1956 & 370(A) (2) of IPC on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner and other accused were running a brothel house and doing prostitution illegally.

3.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent Police.

4.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution.



5.The learned Government Advocate (Crl.Side), on instructions, submitted that the petitioner and other accused were running a brothel house and doing prostitution illegally. He further submitted that there is no previous case against this petitioner and the petitioner's earlier bail petition was dismissed by this Court, hence he strongly opposed to grant bail to the petitioner.

6.Taking note of the above facts and circumstances of the case and also taking into consideration the period of incarceration and also taking note of the fact that no previous case is pending against the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions:

7.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 blood sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.IV, Madurai, Madurai District.

i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity

ii) 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.

iii) the petitioner shall not tamper with evidence or witness.

iv) the petitioner shall not abscond during trial.

v) 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].

vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
19/01/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

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TO

- 1.THE JUDICIAL MAGISTRATE NO.IV
MADURAI, MADURAI DISTRICT.
- 2.DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3.THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
- 4.THE INSPECTOR OF POLICE,
SUBRAMANIPURAM POLICE STATION,
MADURAI CITY.
- 5.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.610 of 2021
Date :19/01/2021

LS
TK/PN/SAR.2/19.01.2021/3P/6C