



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

Date : 09/02/2021

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD). No.1878 of 2021

1.Sridhar
2.P.P.Sindhu
3.K.Suresh

... Petitioners/Accused
Nos.1 to 3

Vs

The State rep.by
The Inspector of Police,
Sessions Court Police Station,
Trichy City.
Crime No.88 of 2021.

... Respondent/Complainant

For Petitioners : Mr.K.Rajesh,
Advocate.

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

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

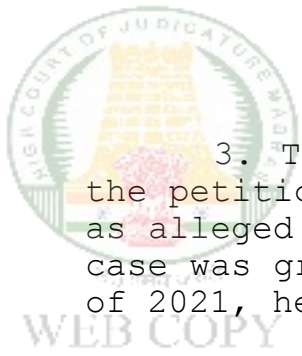
PRAYER :-

For Bail in Crime No.88 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1 to A3, who were arrested and remanded to judicial custody on 27.01.2021 for the offences punishable under Sections 3(2)(a), 4(1), 4(2)(c) and 6(1)(b) of Immoral Traffic (Prevention) Act, 1956, on the file of the respondent police seek bail.

2. The case of the prosecution is that the defacto complainant is an agriculturist. He travelled to Trichy. When he arrived Aristo roundana, he came to know that there is a spa centre in Raja Colony and brothel is also going in the same place. Hence, the defacto complainant went there. When, he went there, he saw three girls in seductively dressed. Thereafter, he escaped from the place. Keeping in mind, it would spread viral diseases, he informed the same to the respondent police. The respondent police came to the spot and arrested A1 to A4. Hence, the complaint.



3. The learned counsel for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. He would also submit that A2 in this case was granted by this Court on 08.02.2021 in Crl.O.P(MD) No. 1825 of 2021, hence he seek bail.

4.The learned Government Advocate (Crl. Side) submits that A1 to A4 are running a spa in the name and style of "Rose Petal Spa" and A5 is the owner of the property and brothel is going on the centre Hence, he prays for dismissal of this petition.

5.Considering the aforesaid submissions and period of incarceration and also considering the fact A2 in this case was granted bail by this Court this Court is inclined to grant bail to the petitioners subject to the following conditions:

6.Accordingly, the petitioners are ordered to be released on bail on their 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 No.II, Thiruchirappalli.

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 petitioners shall draw a demand draft in favour of Dean, Trichy Medical College Hospital for a sum of **Rs.5,000/- (Rupees Five Thousand only)each** without prejudice to their rights and contentions before the trial Court. The petitioners shall produce the proof of remittance /submission of Demand Draft to Dean while executing sureties and thereafter the learned Magistrate shall accept the sureties furnished by the petitioners.

iii) the petitioners shall stay 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.

iv)the petitioners shall not tamper with evidence or witness.

v) the petitioners shall not abscond during trial.

vi)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 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].



vii) If the accused/petitioner thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
09/02/2021

WEB COPY

/ 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.

TO

- 1.THE JUDICIAL MAGISTRATE No.II,
THIRUCHIRAPPALLI.
- 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
- 3.THE INSPECTOR OF POLICE,
SESSIONS COURT POLICE STATION,
TRICHY CITY.
- 4.THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.
- 5.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

THE DEAN
TRICHY MEDICAL COLLEGE HOSPITAL, TRICHY.

ORDER
IN
CRL OP(MD) No.1878 of 2021
Date :09/02/2021

AAV
TK/VR/SAR.1/09.02.2021/3P/7C