



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/07/2021

PRESENT

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The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD). No.10101 of 2021

Thambi Prabakaran,

... Petitioner/6th Accused

Vs

The State rep. by
The Inspector of Police,
Thillainagar Police Station,
Trichy City.
(Crime No. 342 of 2021).

... Respondent/Complainant

For Petitioner : M/s.Lenin Kumar T,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

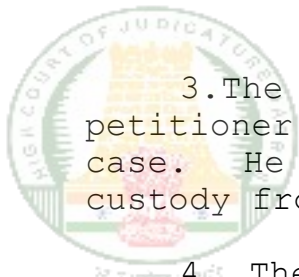
PRAYER :-

For Bail in Crime No. 342 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A6, who was arrested on 05.07.2021 for the offences punishable under Sections 3(2)(a), 4(1), 4(2)(c), 6(1)(b) of the Immoral Traffic (Prevention) Act, 1956 in Crime No.342 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is when that the defacto complainant was coming near Thillai Nagar, 1st street on 05.07.2021, one person aged about 30 years had shown him cell phone and invited him for sexual relationship with women and asked to pay Rs.2000/- for that. When he visited the house he found five male and three female persons. Fearing that he might be infected he told that he was short of money that he would withdraw the money from the ATM and came out. Thereafter he has lodged the complaint.



3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 05.07.2021, hence he seeks bail.

4. The learned Additional Public Prosecutor appearing for the respondent opposed the bail petition on the ground that the investigation is not yet completed. He would further submit that the petitioner is a broker.

5. Taking note of the fact and circumstances of the case and also the fact that the material portion of the investigation might have been completed by this time and the fact that the petitioner is in judicial custody from 05.07.2021, this Court is inclined to grant bail to the petitioner

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 No.II, Trichy 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 am., until further orders.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness 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]**.

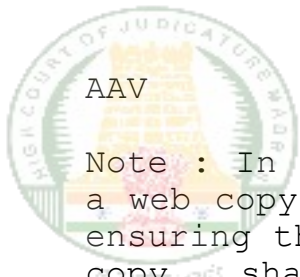
[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
29/07/2021

/ TRUE COPY /

/ /2021

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



AAV

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.II,
TRICHY
- 2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE
TRICHY DISTRICT
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY
- 4 THE INSPECTOR OF POLICE
THILLAINAGAR POLICE STATION,
TRICHY CITY.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.10101 of 2021

Date :29/07/2021

NA/VR/SAR.IV/27/07/2021/3P/6C