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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.01.2022

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.1074 of 2022

T.S.Venkata Prasath

...Petitioner

Vs.

**(*)The State Represented by
The Inspector of Police,
Thiruvallur Taluk Police Station,
Thiruvallur District.
(Crime No.10 of 2022)**

... Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the petitioner on bail in the event of his arrest by the respondent police concerned in crime No.10 of 2022, on the file of the respondent Police.

For Petitioner : Mr.R.Sasikumar

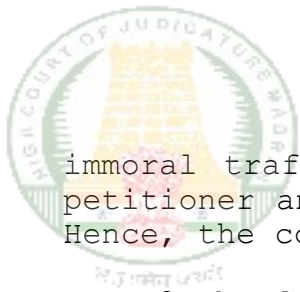
For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor
(CRL.OP.NO.1074/2022)

: M/S.L.BASKARAN,
Government Advocate (Crl.Side)
(CRL.MP.NO.1560/2022)

ORDER

The petitioner, who apprehends arrest for the alleged offence under Sections 3(2) (a), 4(1), 4(2) (a), 4(2) (b), 4(2) (c), 5(1) (a), 5(1) (b), 5(1) (c), 5(1) (d), 7(1) (a), 5B(1) of Immoral Traffic Act and Section 13 of Tamil Nadu Places of Public Resort Act, in Cr.No.10 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 05.01.2022 the defacto complainant along with his police officials went to the petitioner's SPA, they came to know that the petitioner and his wife are doing an



immoral trafficking in their SPA. It was further alleged that the petitioner and his wife misusing the north Indian girls for the same. Hence, the complaint.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor submits that the Co-accused has been arrested and released on bail and the investigation is almost completed.

5. Considering the facts and circumstances of the case as well as licence to run the spa also cancelled and also the submissions made by both counsel, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is directed to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days after lifting of lockdown or the commencement of the Court's normal functioning whichever is earlier, before the learned Judicial Magistrate No.I, Thiruvallur, on condition that the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

(i) [a] the petitioner is directed to deposit a sum of Rs.50,000/- (Rupees Fifty thousand only) to the Registered Advocate Clerks Association, Thiruvallur within a period of fifteen (15) days after lifting of lockdown or the commencement of the Court's normal functioning whichever is earlier and shall produce the said receipt before the Court below; ;

(b) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of four weeks and thereafter as and when required for an interrogation;

(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 has 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.

-sd/-

20/01/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

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Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

[*]Amended as per order of this court dated 28.02.2022 made in CrI.MP.NO.1560/2022 in CrI.O.P.No. 1074/2022

TO

1 THE JUDICIAL MAGISTRATE,
NO.I, THIRUVALLUR.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR. [FOR INFORMATION]

**(*) 3 THE INSPECTOR OF POLICE,
THIRUVALLUR TALUK POLICE STATION,
THIRUVALLUR DISTRICT.**

4 THE INSPECTOR OF POLICE,
THIRUVALLUR POLICE STATION,
VILLUPURAM DISTRICT.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.



6 THE REGISTERED ADVOCATE
CLERKS ASSOCIATION, THIRUVALLUR.

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+1 CC to M/S.R.SASIKUMAR
charges SR.NO.3073

Advocate on payment of necessary

CRL OP.1074/2022

Date :20/01/2022

RW 24/01/2022

RW 08/03/2022