



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.01.2022

CORAM:

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

Crl.O.P.No.985 of 2022

Mr.Rajesh

...Petitioner

Vs.

State: Inspector of Police,
Town Police Station,Thiruvallur,
Thiruvallur District
(Crime No.1092 of 2021)

...Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to release the petitioner on bail pending investigation in Crime No.1092 of 2021 on the file of the respondent.

For Petitioner : Mr. K.Elumalai

For Respondent : Mr.N.S.Suganthan

Government Advocate (DATED 12/01/2022)

MR.L.BASKARAN, Govt.Advocate (Crl.Side)
(DATED 28/02/2022)

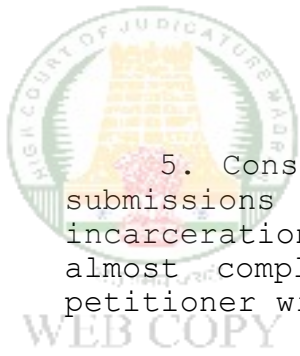
ORDER

The petitioner who was arrested and remanded to judicial custody on 22.12.2021 for the offences under Sections **(*) 3(2)(a), 4(1), 5(1)(a), 6(1)(a), 7(1)(a) of Immoral Traffic(Prevention) Act 1956, 294(b) and 353 of IPC** in Crime No.1092 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 22.12.2021 at about 15.00pm, the respondent had found that the petitioner was involved in immoral trafficking. Hence, the complaint.

3. The learned counsel for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case and that he has been suffering incarceration from 22.12.2021. Hence, he would pray for grant of bail to the petitioner.

4. The learned Government Advocate raised objection stating that the petitioner was involved in immoral traffic activities. He further submits that the investigation was almost completed.



5. Considering the facts and circumstances of the case and the submissions made by both counsel and also considering the period of incarceration undergone by the petitioner and the investigation was almost completed, this Court is inclined to grant bail to the petitioner with certain conditions;

(a) the Petitioner is ordered to be released on bail on executing his own bond for a sum of Rs.10,000/- (Rupees ten thousand only), before the Superintendent of the concerned prison, in which the Petitioner has been confined and thereafter on his release;

(b) the petitioner shall execute two sureties for a sum of Rs.10,000/- (Rupees Ten Thousand only), before the learned Judicial Magistrate-I, Thiruvallur within 15 days from the date of commencement of the Court's normal functioning, failing which the bail granted by this Court shall stand dismissed automatically;

(c) 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;

(d) the petitioner shall report before the respondent daily at 10.30 a.m. until further orders;

(f) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(g) the petitioner shall not abscond either during investigation or trial;

(h) 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;

(i) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

12/01/2022

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.



(*) AMENDED AS PER ORDER OF THIS COURT DATED 28/02/2022 MADE IN
CRL.MP.NO.2374/2022

TO

WEB COPY

1 THE JUDICIAL MAGISTRATE,
NO.I, THIRUVALLUR

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR (FOR INFORMATION)

3 INSPECTOR OF POLICE,
TOWN POLICE STATION,
TIRUVALLUR

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE OFFICER INCHARGE,
SUB JAIL, THIRUTHANI

CC to K.ELUMALAI Advocate on payment of necessary charges
Sr.3044

CRL OP.985/2022

Date :12/01/2022

RVR 19/01/2022

RVR 08/03/2022