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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eighteenth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.11195 of 2022

KARTHI

[PETITIONER / ACCUSED]

Vs

STATE REP BY
INSPECTOR OF POLICE,
S15-SELAIYUR POLICE STATION,
CHENNAI (CRIME NO.151/2022)

[RESPONDENT]

For Petitioner : M/S. S.SILAMBU SELVAN Advocate

For Respondent : MR.A.DAMODARAN, Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable u/s. 3(2)(a), 4(1), 5(1)(a) of Immoral Traffic (Prevention) Act, 1956, in Cr.No.151 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. Totally there are three accused and the petitioner herein is arrayed as A1. The case of the prosecution is that the petitioner along with other accused were found to be involved in immoral trafficking activities. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution. He would also submit that already, A2 and A3 were arrested and they have been released on bail. Hence, he prays for grant of anticipatory bail to the petitioner.



4.The learned Additional Public Prosecutor would submit that A1 and A2 are partners in doing immoral trafficking activities and A3 is the broker, who took the house for rent for the above said activities. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5.Considering the above facts and circumstances, this court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Tambaram on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, who shall be the blood relatives of the petitioner, 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:

[a] the petitioner and 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 stay at Villupuram and report before the Villupuram Town Police Station daily at 10.30 a.m. for a period of four weeks and thereafter, 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.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

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

[f] 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].



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

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-sd/-
18/05/2022

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.

TO

1 THE JUDICIAL MAGISTRATE
TAMBARAM

2 THE CHIEF JUDICIAL MAGISTRATE,
TAMBARAM[FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
S15-SELAIYUR POLICE STATION,
CHENNAI

5 THE OFFICER INCHARGE
VILLUPURAM TOWN POLICE STATION
VILLUPURAM

+1 CC to M/S. S.SILAMBU SELVAN Advocate on payment of necessary charges SR.No. 7549

CRL OP.11195/2022

Date :18/05/2022

SP(19/05/2022)