



Crl.OP.No.16168 of 2022

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G.K.ILANTHIRAIYAN,J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 4(2)(c), 4(1), 5(1)(a) of Immoral Traffic (Prevention) Act, 1956 in Crime No.242 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner procures the defacto complainant with her consent for the purpose of prostitution and the petitioner acted as a tout or pimp on behalf of the prostitute who is the defacto complainant and in the meantime, due to the illness of the defacto complainant she cannot able to continue as a prostitute and subsequently the petitioner forced her, so that the defacto complainant gave Rs.10,500/- by mortgaging her jewels to the petitioner. Hence, the complaint.



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3.The learned counsel for the petitioner would submit that the petitioner was not involved in any of the act which is said in the FIR and he has been falsely implicated in this case as an accused. He further submitted that the petitioner is no way connected with the offence. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor would submit that the petitioner is arrayed as A2 in this case. The petitioner and along with other accused have assaulted the defacto complainant and also received Rs.10,500/- from the defacto complainant and cheated her. Therefore, 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



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from the date on which the order copy made ready, before the learned Judicial Magistrate, Uthukuli, Tiruppur District, 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:

[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 report before the respondent police daily at 10.30 a.m. for a period of four weeks and thereafter as and when required for 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 have been imposed



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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.

13.07.2022

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