



Crl.O.P.No.19989 of 2022

WEB COPY

Crl.O.P.No.19989 of 2022

G.K.ILANTHIRAIYAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 3((2)(a), 3(2)(b), 4(2)(b), 4(2)(c) and 5(1)(d) of Immoral Traffic (Prevention) Act, 1956, in Cr.No.331 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. It is the case of the prosecution that on 02.06.2022 at about 2.00 p.m, the defacto complainant was waiting for his friend. At that time, the third accused introduced himself and informed that the accused 1 and 2 are acquaintance with some beautiful girls, who are using for prostitution for which by paying Rs.2,700/- to them the defacto complainant will enjoy and then the defacto complainant have gone along with the accused into the house and the second accused sent the defacto complainant into the room inside the house, when the defacto complainant came to know that the girl is standing in semi obscenely and the accused were doing prostitution. Hence the complaint.



CrI.O.P.No.19989 of 2022

WEB COPY

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent submitted that there are three accused in this case in which, the petitioner is arrayed as A1, who is owner of the house along with other accused involved in immoral trafficking activities. Therefore, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also taking note of the fact that the petitioner is an owner of the prathal house and in so far, one victim girl was rescued from the petitioner's parathal house. Therefore, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



Crl.O.P.No.19989 of 2022

WEB COPY

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 No.VI, Coimbatore, 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 stay at Dharmapuri, and report before the Inspector of Police, Dharmapuri Town Police Station, Dharmapuri, daily Morning at 10.30 a.m and Evening at 5.30 p.m for a period of four weeks and thereafter, report before the respondent police daily Morning at 10.30 a.m and Evening at 5.30 p.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



CrI.O.P.No.19989 of 2022

WEB COPY 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 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.

24.08.2022

ata



WEB COPY



Crl.O.P.No.19989 of 2022

G.K.ILANTHIRAIYAN, J.

ata

Crl.O.P.No. of 2022



WEB COPY



CrI.O.P.No.19989 of 2022

24.08.2022