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Crl.O.P.No.23163 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioner who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 3(2)(a), 3(2)(b), 4(2)(b), 4(2)(c) & 5(1)(d) of Immoral Traffic (Prevention) Act, 1956 in Cr. No.324 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with co-accused introduced themselves as owner and Manager of the Wellness Centre and involved in immoral trafficking activities in the Wellness Centre. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner was granted anticipatory bail by this Court in Crl.O.P.No.17975 of 2022 vide Order dated 02.08.2022, however he was unable to furnish the sureties and thereby, the earlier Order has got lapsed and the present anticipatory bail has been filed.



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4. The learned Government Advocate (Crl.side) appearing for the respondent would submit that the petitioner along with co-accused introduced themselves as owner and Manager of the Wellness Centre and involved in immoral trafficking activities in the Wellness Centre. He would further submit that the petitioner along with co-accused was granted anticipatory bail by this Court in Crl.O.P.No.17975 of 2022 vide Order dated 02.08.2022, however he failed to execute the sureties. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsels. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner shall pay a sum of Rs.5,000/- (Rupees Five Thousand only) as cost to the **District Legal Services Authority, Coimbatore** and on such payment, 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,



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before the **learned Judicial Magistrate No.VI, Coimbatore**, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 pay a sum of Rs.5,000/- (Rupees Five Thousand only) as cost to the **District Legal Services Authority, Coimbatore** and the acknowledgment for the same shall be produced before the learned Magistrate concerned at the time of execution of bond.

[c] the petitioner shall report before the respondent police everyday at 10.30 a.m., until further orders.

[d] 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.



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[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.

23.09.2022

mpl/nst

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