



Crl.O.P.No.31615 of 2022

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T.V.THAMILSELVI,J.

The petitioners, who apprehend arrest for the alleged offences punishable under Sections 3(2)(a), 4(1), 5(1)(a) of Immoral Traffic (Prevention) Act, 1956 in Crime No.3 of 2022 on the file of the respondent police, seek anticipatory bail.

2.It is the case of the prosecution that upon information, the respondent police has conducted an enquiry and it was found that the petitioners along with one Velu are running prostitution in a house. Hence, the case.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would also submit that the co-accused was arrested and enlarged on bail in Crl.M.P.No.3671 of 2022 on 01.11.2022 by the learned Judicial Magistrate No.1, Poonamallee. Hence, he prays for grant of anticipatory bail to the petitioners.



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4.The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioners along with one Velu are running prostitution in a house. He would further submit that there are three previous cases similar in nature is pending against the petitioners. Hence, he opposed for grant of anticipatory bail to the petitioners.

5.Considering the facts and circumstances of the case and also considering the fact that the co-accused has been enlarged on bail, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned **Judicial Magistrate No.1, Poonamallee**, on condition that each of the petitioners shall execute a separate 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



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petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners 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 petitioners are directed to report before the respondent police on every Tuesday and Saturday at 10.30 a.m., for a period of eight (8) weeks;

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]**;



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

22.12.2022

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