



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 01/11/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.16156 of 2022

Lakshmi

... Petitioner/Accused Rank Not Known

Vs

State Rep.by
The Inspector of Police,
Musiri Police Station,
Trichy District.
Crime No.290 of 2022.

... Respondent/Complainant

For Petitioner : M/s. Arunraj K,
Advocate.

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.290 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 3(2) (a), 4(1) and 5(1) (a) of Immoral Traffic (Prevention) Act, 1956, in Cr.No.290 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that on 21.08.2022 at about 12.00 p.m., based on the secret information, the respondent police conducted raid and found A1 and A2 were doing brothel business in the first street, Bharathi Nagar, Musiri. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is the house owner and she gave her house to A2 for rental purpose and she has no knowledge about the brothel business conducted by A1 and A2. Apart from that, the petitioner is residing in Srirangam Taluk along with her family and she is innocent and she was not present in the scene of occurrence. He would further submit that A1 and A2 were already arrested and released on bail. Hence, he



4.The learned Government Advocate(Crl.Side) would submit that based on the secret information, the respondent police conducted raid and found A1 and A2 were doing brothel business in the petitioner's house and the investigation is still pending. Hence, he strongly opposed to grant anticipatory bail.

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5.Considering the facts and circumstances of the case and also considering the fact that the co-accused have already been released on bail, 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 her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court, Musiri, 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions 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 Inspector of Police, Srirangam Police Station, Srirangam daily at 10.30 am until further orders.

(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 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]**; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1 THE JUDICIAL MAGISTRATE, MUSIRI.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE, MUSIRI POLICE STATION, TRICHY DISTRICT.

4 THE INSPECTOR OF POLICE, SRIRANGAM POLICE STATION, SRIRANGAM.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.16156 of 2022

Date :01/11/2022

SJI

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