



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/10/2022

WEB COPY

PRESENT

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

CRL OP(MD). No.18443 of 2022

Vinoth Kumar @ Vinoth

... Petitioner/ Sole Accused

Vs

The State rep.by,
The Inspector of Police,
Karur Town Police Station,
Karur District.
Crime No.669 of 2022.

... Respondent/Complainant

For Petitioner : M/s.Ramesh Kumar S,
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.669 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(1), 4(1), 5(1)(d) and 7(1)(a) of Immoral Traffic (Prevention) Act, 1956, in Crime No.669 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant had come to Karur for his personal work. Upon completion of his work, when the defacto complainant was waiting in the bus stand, the petitioner came there and enquired about the well being of the defacto complainant. Thereafter, the petitioner asked the defacto complainant to accompany with him to eat the food in Supra Hotel. On reaching there, he enticed the defacto complainant saying that some girls are available and he took the defacto complainant to Room No.312 in Supra Towers, there were girls in the room and asked the defacto complainant to be in the company of a girl. Thereafter, the defacto complainant is said to have fled away from the lodge by stating that he needs to withdraw the cash from ATM. Later, she lodged the present complaint.



3.The learned counsel for the petitioner would submit that the petitioner is innocent and his name was not mentioned in the FIR and he has been falsely implicated in this case. He would further submit that the co-accused was already granted anticipatory bail by this Court in Crl.O.P.(MD)No.18460 of 2022, dated 17.10.2022. Hence, he may be granted anticipatory bail.

4.The learned Government Advocate (Crl.side) strongly opposed this petition stating that the investigation is not yet completed.

5.Considering the facts and circumstances of the case and also considering the facts that the co-accused was already granted anticipatory 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 on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Additional Mahila Court at Magisterial Level, Karur 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 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/Concerned Court may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b]the petitioner shall report before respondent police daily at 10.30 a.m., until further orders;

[c]the petitioner shall not tamper with the 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]**.

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

sd/-

18/10/2022

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/11/2022

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



TO

1 THE ADDITIONAL MAHILA JUDGE,
MAGISTRATE LEVEL, KARUR DISTRICT.

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

3 THE INSPECTOR OF POLICE,
KARUR TOWN POLICE STATION, KARUR DISTRICT.

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

+1 CC to M/s.S.RAMESH KUMAR, Advocate (SR-11605[I] dated 18/10/2022)

ORDER

IN

CRL OP(MD) No.18443 of 2022

Date :18/10/2022

SJI

MK/GB/SAR.II/31.10.2022/3P/6C