



Crl.O.P.No.2659 of 2023

Crl.O.P.No.2659 of 2023

WEB COPY

T.V.THAMILSELVI, J.

The petitioner who apprehends arrest for the alleged offence under Sections 3(2)(a), 3(2)(b), 4(1) & 5(1)(a) of Immoral Traffic Prevention Act in Cr.No.39 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with the other accused persons were involved in prostitution in Poombuhar Lodge, Nagapattinam. Hence, this complaint.

3. Learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submits that the petitioner is ready to comply with any condition that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl. side) submits that with regard



CrI.O.P.No.2659 of 2023

to closing of the lodge, already letter has been submitted before the concerned Revenue Divisional Officer, however, till date, no steps have been taken by the official. He further submitted that there is no previous case pending against the petitioner. However, he vehemently opposed for granting anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and the submissions made by the learned counsel for the petitioner, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.

6. Accordingly, the petitioner is directed to deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the Registered Advocate Clerk Association, Nagapattinam and on such deposit and receipt of proof of 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, before the **learned Judicial Magistrate-II, Nagapattinam, Nagapattinam District**, on condition that the petitioner



CrI.O.P.No.2659 of 2023

shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only)
with two sureties (one of which shall be a blood surety) 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioner shall report before the respondent police on every Tuesday and Sunday at 10.30 a.m. for a period of three months;

(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,



CrI.O.P.No.2659 of 2023

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 anticipatory bail by the learned Magistrate / Trial Court himself as laid

T.V.THAMILSELVI, J.

skt

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.

15.02.2023

skt



WEB COPY



Crl.O.P.No.2659 of 2023

Crl.O.P.No.2659 of 2023