



**S.SOUNTHAR, J.**

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 the Immoral Traffic (Prevention) Act, 1956, in Crime No.3 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that on 14.09.2022, when the respondent police conducted raid in Hotel India Gate at No.148, 13<sup>th</sup> West Street, Kamarajar Nagar, Thiruvannamipur, they found that the petitioner along with some other persons were running prostitution in the said hotel and hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is the owner of the property at No.148, 13<sup>th</sup> West Street, Kamarajar Nagar, Thiruvannamipur, and he has leased out the same to one Imad Basha @ Imran, who is running the said Hotel India Gate and that the petitioner has no business dealing with him. He further submitted that the petitioner is an innocent person and the police are trying to implicate him in this case.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the petitioner along with other accused were running prostitution in the aforesaid hotel. He strongly objected for the grant of anticipatory bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case and the allegations made against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.

6. Accordingly, the petitioner is ordered to be released on bail on condition in the event of arrest or on his appearance, within a period of fifteen



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days from the date on which the order copy made ready, before the **learned IV Metropolitan Magistrate, Saidapet**, 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 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 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 Aadhaar card or bank pass book to ensure their identity.

[b] the petitioner shall report before the respondent police, as and when required for interrogation.

[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]*.

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

05.05.2023

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CRL.O.P.No.6722 of 2023