



WEB COPY

CRL OP(MD).



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/03/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.4379 of 2023

1.Premi

2.Ramya

... Petitioners/Accused No.2 & 3

Vs

State Rep.by

The Inspector of Police,

Kumbakonam Taluk Police Station,

Thanjavur.

Crime No.95 of 2023

... Respondent/Complainant

For Petitioners : M/s.H.Mahamed Hussain, Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.95 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/A2 and A3, who were arrested and remanded to judicial custody on 15.02.2023 for the offence under Sections 3(1), 4(1) and 5(1)(a) of Immoral Traffic (Prevention) Act in Crime No.95 of 2023 on the file of the respondent police, seek bail.

2.The case of the prosecution is that on 15.02.2023, the accused conducted prostitution illegally with the help of the second petitioner by using two victims. Hence, the case.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocents and they have not committed any offence as alleged by the prosecution. Hence, he would seek for bail.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that on 15.02.2023, the accused conducted prostitution illegally with the help of the second petitioner by

<https://www.mhc.in/judis>



using two victims and both the victims have been secured. The investigation is pending. Hence, he would object for grant of bail.

5. Considering the facts and circumstances of the case and also considering the period of incarceration, this court is inclined to grant bail to the petitioners subject to the following conditions:

[a] Accordingly, the petitioners are ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two blood related sureties each for a like sum to the satisfaction of the learned Judicial Magistrate Court No.2, Kumbakonam, and on further conditions that:

[b] 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.

[c] the petitioners shall report before the respondent police daily at 10.30 A.M. for a period of two weeks and thereafter, as and when required for interrogation.

[d] the petitioners shall not commit any offences of similar nature.

[e] the petitioners shall not abscond either during investigation or trial.

[f] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[g] On breach of any of the aforesaid conditions, the learned Judicial 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].

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

sd/-

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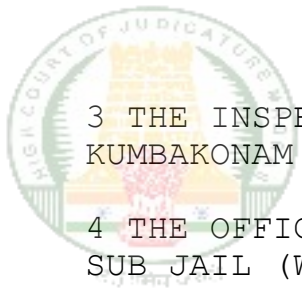
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

TO

1 THE JUDICIAL MAGISTRATE NO.2,
KUMBAKONAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.



3 THE INSPECTOR OF POLICE
KUMBAKONAM TALUK POLICE STATION, THANJAVUR.

4 THE OFFICER INCHARGE,
SUB JAIL (WOMEN), THIRUVARUR.

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

+1 CC to M/s.MAHAMED HUSSAIN H, Advocate (SR-3532[I] dated
07/03/2023)

ORDER

IN

CRL OP(MD) No.4379 of 2023

Date :07/03/2023

RS/SBN/SAR-(07.03.2023) 3P 7C