



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 25.04.2023
PRESENT

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

CRL OP(MD) . No.7626 of 2023

Maideen Batcha

... Petitioner/Accused 1

Vs

State rep., by
The Inspector of Police,
Thiruneelakudi Police Station,
Thanjavur District.
Crime No.244 of 2023

... Respondent/Complainant

For Petitioner : Mr.P.VEERAPANDI, Advocate
For Respondent : Mr.R.M.ANBUNITHI
Additional Public Prosecutor

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

PRAYER :- For Anticipatory Bail in Crime No.244/2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/A1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 4(2)(c) and 3(2)(b) of the Immoral Traffic (Prevention) Act, 1956, in Crime No.244 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 27.03.2023 at about 07.00 pm., in order to collect the finance amount, the defacto complainant was standing near the house belonged to one Maideen Batcha/A1, at that time the accused persons pulled him inside the house of A1 and submitted that they are doing prostitution by A2. Thereafter, the defacto complainant went away from that place and lodged a complaint against the accused persons. Hence, the case.

3.Heard both sides and perused the materials available on record including the First Information Report.

4.It is seen that the petitioner is the owner of the house and without knowing the fact, he rented out his house to the accused persons. Therefore, the custodial interrogation of the petitioner



does not required. Hence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions:

5. 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 on which the order copy made ready, before the learned Judicial Magistrate, Thiruvudaimaruthur, Thanjavur, 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 condition 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 respondent Police daily at 10.30 am., for a period of three weeks and thereafter, 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 abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-

25/04/2023

/ TRUE COPY /

/05/2023

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

RMK

TO

1 THE JUDICIAL MAGISTRATE,

<https://www.madras.gov.in> THIRUVUDAIMARUTHUR, THANJAVUR DISTRICT.



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

3 THE INSPECTOR OF POLICE,
THIRUNEELAKUDI POLICE STATION,
THANJAVUR DISTRICT.

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

+1. CC to Mr.P.VEERAPANDI Advocate SR.No.6563

ORDER

IN

CRL OP(MD) No.7626 of 2023

Date :25/04/2023

SA/SSS/SAR.2/04.05.2023/3P/6C