



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 12/06/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN
CRL OP(MD). No.10146 of 2023

WEB COPY

E.Rahul

... Petitioner/Accused No.2

Vs

The State rep.by,
The Inspector of Police,
Fort Police Station (A.V.S),
Trichy City, Trichy District
Crime No. 486 of 2023.

... Respondent/Complainant

For Petitioner : M/s Ramesh.K.P,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.486 of 2023 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/A2, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 3(2)(a), 4(1), 4(2)(c) of Immoral Traffic (Prevention) Act, 1956 r/w 379 of IPC in Crime No.486 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that one Syed Ahamed lodged a complaint before the respondent police stating that on 06.04.2023 at about 11.15 p.m., when he was drinking tea, a lady by name Ajitha introduced herself to the complainant that she is running a massage centre and she has five girls and if the complainant wants to have fun with the girls he has to pay Rs.1000/- to Rs.3000/-. Hence, the case.

3.Heard. Perused the materials available on record including the First Information Report.

4.It is seen from the records that the permission was already granted to A1. The petitioner is arrayed as A2. It is also seen from the statement that the petitioner assisted the first accused had taken lease in the apartment for running the spa.



5. Taking into consideration of the facts and circumstances of the case, 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 on which the order copy made ready, before the learned Judicial Magistrate No.2, Trichy, 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 a.m., for a period of four 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 absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

12/06/2023

/ TRUE COPY /

/06/2023

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

SJI



TO

1. THE JUDICIAL MAGISTRATE NO.2, TRICHY.

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY.

3. THE INSPECTOR OF POLICE,
FORT POLICE STATION (A.V.S),
TRICHY CITY, TRICHY DISTRICT

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

+2 CC to M/s.K.P.RAMESH, Advocate (SR-8505[I] dated 12/06/2023)

ORDER

IN

CRL OP(MD) No.10146 of 2023

Date :12/06/2023

RK/SSS/SAR- (15/06/2023) 3P/7C