



CRL OP(MD). No.12216 of 2023

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

Date : 05/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12216 of 2023

J.Bhavani @ Bavani

... Petitioner/ Accused No.3

Vs

The State, represented by  
The Inspector of Police,  
Rajapalayam South Police Station,  
Virudhunagar District.  
(Crime No.89 of 2023).

... Respondent/Complainant

For Petitioner : Mr.D.Rajaboopathy, Advocate.  
For Respondent : B.Nambiselvan,  
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.89 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused No.3, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 3(2)(a), 4(1),



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4(2)(c), 5(1)(a) of Immoral Traffic (Prevention) Act, 1956, in Crime No.89 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that one Muthumari has involved in prostitution work using some other girls.

3. The learned counsel for the petitioner would submit that no doubt that the petitioner is the owner of the property, which is used for committing the offence. But however, she is not residing in India and residing permit was granted to her by Kingdom of Bahrain from 06.04.2021 till 06.05.2023. The date of occurrence is stated to be 18.03.2023 and she arrived India only on 04.05.2023. The occurrence happened only when she is residing in abroad. The accused is the tenant of the petitioner.

4. The learned counsel for the petitioner undertakes that the petitioner will issue vacate notice against the tenant.

5. Considering the fact that the co-accused is a tenant in the above said building, which is owned by the petitioner for rent and on the date of occurrence, the petitioner is residing in abroad, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Rajapalayam, Virudhunagar District, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand



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only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and \*the petitioner shall appear before the respondent Police as and when required for interrogation. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall issue vacate notice against the tenant as and when required and shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-  
05/07/2023

(\*)FOR BEING MENTIONED AS PER ORDER  
OF THIS HON'BLE COURT DT.12/07/2023 IN  
CRL.OP(MD).12216/2023.  
/ TRUE COPY /

/07/2023  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

INDU

TO  
TO BE SUBSTITUTED WITH THE ORDER DT. 05/07/2023 ALREADEY  
DESPATCHED

1 THE JUDICIAL MAGISTRATE,  
RAJAPALAYAM, VIRUDHUNAGAR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.



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3 THE INSPECTOR OF POLICE  
RAJAPALAYAM SOUTH POLICE STATION,  
VIRUDHUNAGAR DISTRICT.

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

Copy to:  
THE SECTION OFFICER,  
CRIMINAL SECTION,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

+1 CC to M/s.D.RAJABOOPATHY, Advocate (SR-10575[I] dated 12/07/2023)

ORDER  
IN  
CRL OP(MD) No.12216 of 2023  
Date :05/07/2023

SS/08/07/2023/3P/7C  
ED/MMS/SAR- (26/07/2023) 4P / 7C

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