



CRL OP(MD)No.19334 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26.10.2023

PRESENT

The Hon`ble Mr.Justice R.SAKTHIVEL

CRL OP(MD)No.19334 of 2023

Kanimozhi

... Petitioner/ Accused No.2

Vs

The State rep. by
The Inspector of Police,
K.K.Nagar Police Station,
Trichy City.
(Crime No.1360 of 2023)

... Respondent/Complainant

For Petitioner : Mr.S.Ramakrishnan, Advocate

For Respondent : Mr.A.Thiruvadikumar
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.1360 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A2, who was arrested and remanded to judicial custody on

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



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10.10.2023 for the alleged offence under Sections 3(2)(a), 4(1) and 4(2)(c) of the Immoral Traffic (Prevention) Act, 1956 and Section 370 IPC in Crime No.1360 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 10.10.2023, based on the information, the respondent police searched the lodge and found that the accused persons illegally conducted brothel business in the said lodge. Hence, the case.

3.The learned counsel for the petitioner submitted that petitioner is innocent and she has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is in custody from 10.10.2023 and hence, he seeks bail.

4.The learned Additional Public Prosecutor submitted that the petitioner is the Manager of the lodge. He further submitted that the petitioner has not involved in any previous case. The investigation is not completed. At this stage of investigation, if bail is granted to the petitioner, she will cause threat to the witnesses. Accordingly, learned Additional Public Prosecutor raised objection for granting bail.



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5. Heard on both sides. This Court has perused the records.

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6. Considering the fact that the petitioner has not involved in any previous case, considering the nature of allegations made against the petitioner and the nature of offence allegedly committed by the petitioner, this Court is inclined to grant bail to the petitioner with conditions.

7. Accordingly, this Criminal Original Petition is allowed subject to the following conditions:-

i) the petitioner is ordered to be released on bail, on executing a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Trichy.

ii) the petitioner shall report before the respondent police daily at 10.00 a.m. until further orders.

iii) the petitioner shall not tamper with the witnesses and evidences.



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iv) on breach of any of the aforementioned conditions, the learned Magistrate is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by themselves as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005)13 SCC 283].

sd/-
26/10/2023

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27/10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

gns
TO

- 1.The Judicial Magistrate No.II,
Trichy.
2. Do through the Chief Judicial Magistrate, Trichy.
3. The Superintendent, Central Prison, Trichy.
- 4.The Inspector of Police,
K.K.Nagar Police Station,
Trichy City.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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ORDER
IN
CRL OP(MD) No.19334 of 2023
Date :26/10/2023

SSA/27.10.2023/5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023