



Crl.O.P.No.4316 of 2024

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C.V.KARTHIKEYAN, J.

The petitioner/fourth accused who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 4(2)(c), 3(2)(a) and 5(1)(d) in Immoral Traffic (Prevention) Act, 1956 in Crime No.93 of 2024, seeks anticipatory bail.

2. The petitioner could be categorised both a victim and also as an accused. It is stated by the learned Government Advocate (Crl.Side) that she had solicited relationships over phone and had been warned several times but was still involved in the same activity. She is also victim since she had been physically exploited.

3. Taking all the factors into consideration, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

4. 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 Additional Mahila Court, Coimbatore, 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



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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.

[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]**.



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

5. Copy of this order may be forwarded to the learned Principal District Judge, Coimbatore, who may interact with the respondent, Inspector of Police, Saravanampatti Police Station, Coimbatore City, who had registered in Cr.No. 93 of 2024 and through the District Legal Services Authority, try to engage to rehabilitate the accused Nos. 4 to 8, who are all women and who are all victims. Let some constructive steps be taken if it is possible.

11.03.2024

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Copy to:

The Principal District Court, Coimbatore.



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