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Crl.O.P.No.5890 of 2024

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C.V.KARTHIKEYAN, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 3(2)(a), 4(1) and 5(1)(a) of the Immoral Traffic (Prevention) Act, 1956 in Crime No.6 of 2024, seeks anticipatory bail.

2. It is stated that the petitioner is the owner of the property at Door No.43/3, Model School Road, Thousand Lights, Chennai – 600 006. He had rented out the premises to J. Ebinezar, who runs a spa under the name “New Leaf Therapy/Saloon Spa”. In that place, the respondent had rescued three women, who have been exploited and had been put to extremely unfortunate circumstances.

3.The learned counsel for the petitioner claimed that the petitioner is the owner of the property and he cannot be made responsible for the alleged offences.

4.Earlier petition seeking anticipatory bail was dismissed on 15.02.2024 in Crl.O.P.No.3405 of 2024. It is seen that there has been substantial progress in the investigation after that particular date.



Crl.O.P.No.5890 of 2024

WEB COPY

5.Taking all the factors into consideration, this Court is inclined to grant anticipatory bail to the petitioner and 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 IV Metropolitan Magistrate, Chennai, 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.



Crl.O.P.No.5890 of 2024

WEB COPY

[b] the petitioner shall report before the respondent police everyday at 10.30 a.m., until further orders.

[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.

10.04.2024

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