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Crl.OP.No.6295 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.07.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl. O.P. No. 6295 of 2024

Balaji

... Petitioner

Vs.

State Rep by
Inspector of Police,
E-1, Mylapore Police Station,
Chennai-600 004.

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in Cr.No.16 of 2024, on the file of the respondent police and quash the same.

For Petitioner : Mr.J.William Shakesphere

For Respondents : Mr. S. Udaya Kumar,
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition is filed to quash the FIR registered against the petitioner and others for the offence under Section 3(2)(a), 4(1) and 5(1)(a) of Immoral Traffic (Prevention) Act, 1956.

2. As per the FIR on prior information, a commercial premises at



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Door.No.81, 1st Floor, Luz Church Road, Mylapore was searched and find that commercial sex activity been carried on with six ladies. This petitioner is arrayed as 1st accused as a person running the commercial sex business under the guise of Ayush Spa.

3. It is contending that the mandatory provision of Section 15(1) of Immoral Traffic (Prevention) Act, 1956 not been complied with, the present petition is filed to quash the FIR. The protection from conducting search or raid of a living place if any person alone is been restricted under Section 15(1) of Immoral Traffic (Prevention) Act, 1956 and not a commercial premises. More so, this petitioner admittedly not in that place, but only on information given by the persons in that place been arrayed as an accused being the kingpin of the trade. Hence, this Court finds no merits in this petition, the Criminal Original Petition to quash the FIR is dismissed.

4. It is open to the petitioner to agitate all his defense before the trial Court in the course of trial.

16.07.2024

Vv

To



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1. The Inspector of Police,
Vaduvur Police Station,
Thiruvarur District.

2. The Public Prosecutor,
High Court of Madras,
Chennai.

Dr.G.JAYACHANDRAN,J.



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