



Crl.O.P.No.7099 of 2024

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C.V.KARTHIKEYAN, J.

The petitioner seek anticipatory bail in Crime No.560 of 2023 registered by the respondent Police for the offences punishable under Sections 3(2)(a), 3(2)(b), 4(1), 5(1)(a) of Immoral Traffic (Prevention) Act 1956 and Section 370 of IPC.

2.It is stated that the petitioner is the owner of the lodge which was used for immoral purpose/prostitution.

3.The learned counsel for the petitioner stated that the petitioner was not aware of the purpose for which the lodge was being put to.

4.The earlier application seeking anticipatory bail was dismissed on 19.02.2024 in Crl.O.P.No.990 of 2024.

5.It is stated that the co-accused had been arrested and had been granted bail. There is a significant change in circumstances, the investigation also proceeded to a substantial extent.



Crl.O.P.No.7099 of 2024

WEB COPY

6.However, taking all the other factors into consideration this Court is inclined to grant anticipatory bail to the petitioner, but however, **directing the petitioner to deposit an amount of Rs.20,000/- (Rupees Twenty Thousand only) as non refundable deposit to the credit of Crime No.560 of 2023 before the learned District Munsif cum Judicial Magistrate, Keelaiyur, Nagapattinam District and on such deposit of the said amount, the learned District Munsif cum Judicial Magistrate, Keelaiyur, Nagapattinam District may be handed over to the responsible officer of the Government Hospital, Nagapattinam District, for treating the needy patients.**

7.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 **District Munsif cum Judicial Magistrate, Kellaiyur, Nagapattinam District**, 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



Crl.O.P.No.7099 of 2024

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.

[b]the petitioner shall report before the respondent police daily 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]**.



CrI.O.P.No.7099 of 2024

WEB COPY

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

22.03.2024

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WEB COPY



Crl.O.P.No.7099 of 2024

C.V.KARTHIKEYAN, J.

rjr

Crl.O.P.No.7099 of 2024

22.03.2024