



Crl.O.P.No.7632 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:05.04.2024

Coram

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.7632 of 2024

&

Crl.M.P.Nos.5527 & 5528 of 2024

Vinoth Victor

.. Petitioner

/versus/

The State

Represented by the Inspector of Police,
Velankanni Police Station,
Nagapattinam District.
(Cr.No.448 of 2022)

.. Respondent

Criminal Original Petition has been filed under Section 482 of Cr.P.C., to call for the records and quash the final report in C.C.No.119 of 2023 on the file of the learned District Munsif cum Judicial Magistrate, Kilvelur, Nagapattinam District and all further proceedings thereto as against the petitioner.

For Petitioner :Mr.S.Kishore Kumar

For Respondent :Mr.S.Udaya Kumar,
Govt.Advocate(Crl.Side)



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ORDER

The petitioner herein is the first accused in the First Information Report in Crime No.448 of 2022 for the offence under Sections 3(2)(a), 3(2)(b), 4(1) and 5(1)(a) of Immoral Traffic (Prevention) Act, 1956.

2. According to the prosecution, on 22.12.2022 at about 17.00 hours, when they raided a lodge by name, Angel Residency, they found the person, who has taken the lodge for lease, running a brothel. Investigation indicates that the building is owned by the first accused Vinoth Victor, who is the petitioner herein.

3. The learned counsel appearing for the petitioner submitted that the building in fact is owned by his former wife against whom he has initiated the divorce proceeding and got the marriage dissolved and he is nothing to do with the building and the alleged illegal flesh trade.

4. However, the material relied on by the prosecution indicates that the second accused Mistan had taken the building on lease from the first accused and the revenue records, even according to the petitioner,



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adjacent seven cents land still stands in the name of the petitioner, his wife and his son. *Prima facie* there is a material to show that the petitioner has knowledge and involvement in the alleged crime. The documents now shown before this Court to quash the proceedings has to be tested in the course of trial to arrive at a right conclusion. This Court under Section 482 of Cr.P.C, cannot conduct a mini trial regarding the title, ownership and the control over the building.

5. Hence, this Criminal Original Petition is dismissed by giving liberty to the petitioner to raise all the defence in the course of trial. Consequently, connected Miscellaneous Petitions are closed.

05.04.2024

Index:yes/no

Speaking order/non speaking order

Neutral citation:yes/no

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To:

1.The District Munsif cum Judicial Magistrate,
Kilvelur, Nagapattinam District.

2.The Inspector of Police, Velankanni Police Station,
Nagapattinam District.



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DR.G.JAYACHANDRAN,J.

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