



Crl.O.P.No.9436 of 2024

T.V.THAMILSELVI, J.

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The petitioners, who apprehend arrest for the alleged offences punishable under Section 3(2)(a), 4(1), 4(2)(c), Immoral Traffic (Prevention) Act, 1956 r/w Section 379 of IPC on the file of the respondent/police, seek anticipatory bail.

2.It is the case of the prosecution that on 26.01.2024 the complainant was received the written complaint stating that on the date of occurrence he involved the usual vehicle checkup to intercept the vehicle Maruthi Suzuki Eritiga and made the usual check the driver of the vehicle given the irrelevant statement the respondent inquired about the females of the car stating that the victim are not known the tamil language stating that the driver of the vehicle A1 engaged the victim for immoral act according to the instruction of the petitioners and charged the amounts Rs.10,000/-. Hence the complaint.

3.The learned counsel appearing for the petitioners would submit that the first petitioner is a sole bread winner of the family and he is taking care of his child. The second petitioner suffered high health issues and admitted in the hospital. The petitioners are no way connected in this case. They never have any antecedents records and victim not state anything about the petitioners or



otherwise the incident. They are innocent persons and they have not committed any offences. They are law abiding citizens and they are no way connected to this case and they undertake to abide by any conditions imposed by this Court. Hence, the learned counsel prays to grant anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl. Side) submitted that based on the confession of the Co-accused the petitioners have been implicated in this case. A1 and A2 were arrested and confined in the judicial custody. The investigation in this case is almost completed. Hence, he opposed for grant of anticipatory bail to the petitioners.

5.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) and perused the materials available on record.

6.Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners.

7.Accordingly, the petitioners are directed to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the



date on which the order copy made ready, before the learned Judicial Magistrate, Thiruthuraipoondi, on condition that the petitioners 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 the petitioner, 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 petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners are directed to deposit a sum of Rs.20,000/- (Rupees Twenty Thousand Only) each to the credit of Registered Advocates Clerks Association, Thiruvarur, within a period of two weeks from the date of receipt of a copy of this order and shall produce the said receipt before the Court below;

(c) the petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders;



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(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/trial Judge himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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