



Crl.O.P.No.17977 of 2024

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T.V.THAMIILSELVI, J.,

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 3(2)(a), 4(1), 5(1)(a), 6(1)(a), 7(1)(b) of Immoral Traffic (Prevention) Act in Crime No.438 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 13.07.2024 based on the secret information, the respondent police conducted a raid and found that the petitioner along with some other accused were doing immoral trafficking by confining 6 victim girls and going immoral activities of prostitution. Hence the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the



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respondent raised objection stating that there are totally 3 accused in this case and that the petitioner is arrayed as A2 who is the close friend of A1 in this case and all the accused were running business in the name of saloon and spa. He further submitted that the petitioner along with some other accused were involved in immoral trafficking by confining 6 victim girls illegally. Hence he raised strong objection.

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

6. Taking into consideration the facts and circumstances of the case and the submissions made by the both counsel, this Court is inclined to grant anticipatory bail to the petitioner with a condition that **the petitioner shall file an undertaking affidavit before the Trial Court that he will not involve any illegal business in the name of saloon or spa** and on certain conditions.

7. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of



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fifteen (15) days from the date of receipt of a copy of this order before the **learned Judicial Magistrate No.I, Poonamallee**, 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 and on further condition that:

[a] the petitioner shall deposit a sum of Rs.20,000/- [Rupees Twenty Thousand only] to the credit of the Registered Advocate Clerk's Association, Ponneri, within a period of two weeks from today and shall produce the said receipt before the Court below;

[b] the petitioner 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;

[c] the petitioner shall report before the respondent police on alternate days at 10.30 a.m., for a period of three months and thereafter, as and when required for interrogation;

[d] the petitioner shall file an undertaking affidavit before the Trial Court that he will not involve any illegal business in the name of saloon or spa in future;

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial;



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[g] 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 has been imposed and the petitioner is released on anticipatory 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]***; and;

[h] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

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