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CRL O.P. No.18795 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.08.2024

CORAM:

The Hon'ble Mr.Justice P.DHANABAL

**CRL O.P. No.18795 of 2024**

Deepika @ Pooja W/o. Prabhakaran ... Petitioner

Vs

The State rep. by-  
The Inspector of Police,  
Anti Vice Squad-1 CCB Police Station,  
Chennai. ... Respondent

For Petitioner : Mr. D. Arun

For Respondent : Mr. S. Vinoth Kumar  
Government Advocate (Criminal side)

**PETITION FOR BAIL Under Sec.483 of B.N.S.S.**

**PRAYER :-**

The Criminal Original Petition is filed under Section 483 of The  
Bharatiya Nagarik Suraksha Sanhita, 2023, praying to grant bail to the



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petitioner/Accused No.2 in Crime No.27 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A2, who was arrested and remanded to judicial custody on 12.07.2024 for the offences punishable under sections 3(2)a, 4(1), 5(1)a, 6(1), 7(1) of Immoral Traffic (Prevention) Act, 1956 in Crime No.27 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused engaged young girls in prostitution under the guise of running PR Saloon & SPA and during the raid, the respondent police rescued the victim girls. Hence the case.

3. The learned counsel appearing for the petitioner would contend that the respondent police registered a case against the petitioner in Cr. No.27 of 2024 for the offences punishable under sections 3(2)a, 4(1), 5(1)a, 6(1), 7(1) of Immoral Traffic (Prevention) Act, 1956. The petitioner is only an employee working under A1. The petitioner was arrested on 12.07.2024. She has not committed any offence as alleged in



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FIR and she has been falsely implicated in this case. She has been in judicial custody for more than two weeks. Hence, he prayed bail for the petitioner.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police would contend that totally there are two accused in this case and the petitioner is arrayed as A2. The petitioner along with A1 engaged young girls in prostitution under the guise of running PR saloon & SPA. No previous case is pending against this petitioner. If the petitioner is released on bail, it will affect the investigation and thereby, he strongly opposed to grant bail to the petitioner.

5.Heard both sides and perused the materials available on record including the First Information Report.

6.Considering the rival submissions on either side and considering the fact that there is no previous case against the petitioner and also considering the period of incarceration, I am inclined to grant bail to the petitioner, subject to the following conditions:



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[a] Accordingly, the petitioner is ordered to be released on bail on condition to 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 learned Principal Sessions Judge, Chennai and on further conditions that:

**[b] the petitioner shall report before respondent police daily at 10.00 A.M., for 30 days.**

[c] the petitioner shall not commit any offences of similar nature.

[d] the petitioner shall not abscond either during investigation or trial.

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

[f] On breach of any of the aforesaid conditions, the learned Judicial 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



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Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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

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index: Yes/No  
Internet: Yes/No  
Speaking/Non Speaking order  
mjs

**P.DHANABAL,J**

mjs

To

1.The Principal Sessions Judge,  
Chennai.

2.The Superintendent,  
Central Prison,  
Puzhal, Chennai.

3. The Additional Public Prosecutor,

5/6



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Madras High Court,  
Chennai.



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