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Crl.O.P.No.26042 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2024

CORAM

**THE HON'BLE MR. JUSTICE P.DHANABAL**

Crl.O.P.No.26042 of 2024

Madhankannan

...Petitioner

Vs.

The State rep by  
The Inspector of Police  
C4, Rathinapuri Police Station,  
Coimbatore District,  
Crime No.285 of 2024

...Respondent/Complainant

**PRAYER:** Criminal Original Petition filed under Section 483 of B.N.S.S. Act, 2023, praying to enlarge the petitioner on bail in Crime No.285 of 2024 on the file of respondent police.

For Petitioner : Mr.R. Parthiban  
For Respondent : Mr.S.Vinothkumar  
Government Advocate (Crl. Side)

### **ORDER**

The petitioner, who was arrested and remanded to judicial custody on 30.09.2024 for the offences under Section 3(2)(a), 4(2)(c), 5(1),(d) and 7(1)(a) of IPT Act and 111 of BNS in crime No.285 of 2024 on the file of the respondent police, seeks bail.



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2. Totally there are 8 accused in this case and the petitioner herein arrayed as A2. It is alleged that the petitioner who is working as a manager in the spa involved in immoral activities. Hence, the respondent police has registered a case against the petitioner and other accused.

3. Learned counsel for the petitioner submitted that the petitioner is an innocent person, he has not committed any offence as alleged by the prosecution, and he has been falsely implicated in this case. He would further submit that the petitioner is arrested and is in judicial custody from 30.09.2024 and is ready to abide by any conditions that may be imposed by this Court and **co-accused in this case has been granted bail** . Hence, he prayed bail for the petitioner.

4. Learned Government Advocate (Crl.Side) opposes the grant of bail to the petitioner by stating that the petitioner who is working as a manager in the spa involved in immoral activities. He further submitted that there are two previous case pending against the petitioner.



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5. Heard both sides and perused the materials available on record.

6. Considering the submission of the learned counsel on either side, nature of offence, co-accused in this case has been granted bail, though the petitioner has some previous cases, in all cases, bail was granted to the petitioner, considering the period of incarceration undergone by the petitioner and also considering all others factors, I am inclined to grant bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing 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 Judicial Magistrate, Additional Mahila Court, Coimbatore District and on further conditions that:

**[a] the petitioner shall report before the respondent police everyday at 10.30 a.m until further orders.**



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[b] the petitioner shall attend in accordance with the conditions of the bond;

[c] the Petitioner shall not commit any offences of similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

[d] the Petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[e] the Petitioner shall not abscond 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 Court



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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 269 B.N.S.

**22.10.2024**

*smn*  
To

- 1.The Judicial Magistrate, Additional Mahila Court, Coimbatore District
- 2.The Superintendent, Central Prison, Coimbatore.
- 3.The Inspector of Police  
C4, Rathinapuri Police Station,  
Coimbatore District,
- 4.The Public Prosecutor,  
High Court of Madras.

**P.DHANABAL, J.**



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