



Crl.O.P.No.31072 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.12.2024

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.31072 of 2024

Ashok

... Petitioner

Vs.

The State Represented by
The Inspector of Police,
E-1, Singanallur Police Station,
Coimbatore District,
(Crime No.585 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on anticipatory bail in the event of his arrest by the respondent police concerned in Crime No.585 of 2024, on the file of the respondent police.

For Petitioner : Mr.R.Parthiban

For Respondent : Mr.S.Santhosh
Government Advocate (Crl.Side)



ORDER

WEB COPY Apprehending arrest in connection with Crime No.585 of 2024 registered for the offences punishable under Sections 3 (2) (a), 4(2) (c) and 5 (1) (d) of ITP Act, the present petition has been filed seeking anticipatory bail.

2.Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. Learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He further submits that he is a trained Ayurvedic Massage Therapist. He further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

3.The case of the prosecution as putforth by the learned Government Advocate (Crl. Side) appearing for the respondent Police, opposing for grant of anticipatory bail, is that the petitioner is running a massage centre in the name of Kotakkal Ayurvedic Massage Centre and he invited the defacto



complainant. The defacto complainant went to the massage centre, where he saw several girls, gesturing inappropriate signs and attempted to seduce the defacto complainant. He further submit that, apart from this case, petitioner has one previous case of the year 2024.

4.Having heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions and accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court - III, Coimbatore, 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 said Magistrate, on further condition that:

[a] if the petitioner fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;



Crl.O.P.No.31072 of 2024

[b] the petitioner shall report before the respondent Police daily at 6.30 p.m., until further orders.

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

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

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

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

13.12.2024

av



WEB COPY



Crl.O.P.No.31072 of 2024

A.D.JAGADISH CHANDIRA, J.

av

Crl.O.P.No.31072 of 2024

13.12.2024