



CRL OP(MD) No.904 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Monday, the Twenty Second day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.904 of 2024

1 V.BALAN

2 MAHALAKSHMAI

... PETITIONER(S) / ACCUSED 1 & 2

Vs

THE INSPECTOR OF POLICE
K.PUDUR POLICE STATION,
MADURAI.

CR.NO.515/2023

... RESPONDENT(S) / COMPLAINANT(S)

For Petitioner : Mr.K.NAVANEETHARAJA, Advocate
for M/S.MANIKANDAN.M Advocate

For Respondent : Mr.S.MANIKANDAN, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

PRAYER:- FOR ANTICIPATORY BAIL IN CR.NO.515/2023 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioners/A1 and A2, who apprehend arrest at the hands of the
respondent police for the alleged offence under Sections 3(2)(a), 4(1), 5(1)(a) and 6(1)



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(b) of ITP Act r/w Section 370(3) of IPC, in Cr.No.515 of 2023, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners have conducted prostitution by engaging the innocent victim girls. Hence, the case.

3.The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl. side) submitted that investigation is pending and hence, he strongly opposed to grant anticipatory bail to the petitioners.

5.Considering the nature of allegation levelled against the petitioners and also considering the fact that the petitioners are not having any previous case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, this Criminal Original Petition is ordered and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court No.6, Madurai, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, with two sureties, each for a like sum to the satisfaction of the respondent police or the



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police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a)if the petitioners failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) 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 first petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation; and the second petitioner shall report before the Inspector of Police, All Women Police Station, K.Pudur, Madurai, daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation;

(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 petitioners released on bail by



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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]; and;

(g)if the accused thereafter abscond, a fresh FIR can be registered under

Section 229-A IPC.

sd/-

22/01/2024

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/02/2024

Sub-Assistant Registrar

(C.S. I / II / III / IV)

Madurai Bench of Madras High Court,

Madurai - 625 023.

SJI

TO

1 THE JUDICIAL MAGISTRATE NO.6
MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE
K.PUDUR POLICE STATION,
MADURAI.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

COPY TO:

THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
K.PUDUR, MADURAI.



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+1 CC to M/s.N.JEYARAM SIDHARTH, Advocate (SR-949[I] dated 23/01/2024)

ORDER
IN
CRL OP(MD) No.904 of 2024
Date :22/01/2024

SA/VR/SAR. /01.02.2024/5P/7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.