



CRL OP(MD). No.1631 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/02/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

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1.Manikanda Prabhu

2.Karthick Kumar

3.Nanthakumaran

... Petitioners/ Accused Nos.1 to 3

Vs

The Inspector of Police,
S.S.Colony Police Station,
Madurai.

Crime No.17 of 2024

... Respondent/Complainant

For Petitioners : Mr.K.Dinesh, Advocate.

For Respondent : Mr.B.Nambiselvan,

Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.17/2024 on the file of the respondent police.

ORDER : The Court made the following order :-



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The petitioners/Accused Nos.1 to 3, who were arrested and remanded to judicial custody on 14.01.2024 for the offence punishable under Sections 4(2)(a), 4(2)(c), 5(1)(a) and 5(1)(d) Immoral Traffic (prevention) Act, 1956 and 370A(z) of Indian Penal Code, in Crime No.17 of 2024 on the file of the respondent Police, seek bail.

2. The case of the prosecution is that the petitioners indulged in immoral traffic offences. Hence, a case has been registered.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have not committed any such offence as alleged by the prosecution. He would further submit that the petitioners have been falsely implicated in this case. He would further submit that the petitioners are in judicial custody from 14.01.2024. Hence, he prays for bail.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that no previous case is pending against the petitioners.

5. Heard the learned counsel on either side.

6. Considering the facts and circumstances of the case and the period of



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incarceration and the fact that no previous case is pending against the petitioners, this court is inclined to grant bail to the petitioners, subject to the following conditions:

7. Accordingly, the petitioners are ordered to be released on bail on their executing 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 learned Judicial Magistrate No.V, Madurai, and on further conditions that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners are directed to appear before the respondent police daily at 10.30 a.m., until further orders.

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]; and;

<https://www.mhc.tn.gov.in/judis>



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(f)if the accused thereafter absconds, a fresh FIR can be registered under Section

229-A IPC.

sd/-
02/02/2024

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02 /02/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TTA

TO

- 1 THE JUDICIAL MAGISTRATE NO.V
MADURAI.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
S.S.COLONY POLICE STATION,
MADURAI.
- 4 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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+1. CC to M/S. RAGHUMAN KHAN.M Advocate SR.No.2951(F) dt: 02/02/2024

ORDER
IN

CRL OP(MD) No.1631 of 2024

Date :02/02/2024

PKP/02.02.2024/ 5P/ 7C

Madurai Bench of Madras High Court is issuing certified
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