



CRL OP(MD) No.4265 of 2024

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

Monday, the Eighteenth day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.4265 of 2024

ASHIK @ ASHIK IRFAN

... Petitioner / Accused No.2

Vs

THE INSPECTOR OF POLICE
TALLAKULAM POLICE STATION
(CRIME NO.28/2024.)

... Respondent / Complainant

For Petitioner : M/s.SMA Jinnah, Advocate

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

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

PRAYER : FOR BAIL IN CRIME NO.28/2024 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on
11.01.2024 for the offence punishable under Sections 420, 370(4) and 370A(2) of IPC
and Sections 10 & 24 of Emigration Act, 1983, in Crime No.28 of 2024, seeks bail.



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2. The case of the prosecution is that in the year 2022, the petitioner issued an advertisement for getting job at Malaysia as salesman. Believing the same, the defacto complainant contacted one Periyasamy. Then, A1 to A3 conducted interview and demanded a sum of Rs.1,00,000/-. Thereafter, they issued job order to the defacto complainant at one Super Market in Malaysia and received a sum of Rs.1,00,000/- from the defacto complainant. Thereafter, the defacto complainant went along with A1 to Malaysia. On reaching Malaysia, A1 sold the defacto complainant to one Massage Centre, where, she was forced to work as sexual worker. Thereafter, she escaped from Malaysia with the help of one unknown person and came to India, via., Thailand. Hence, the defacto complainant made a complaint before the Law Enforcing Agency.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that the petitioner did not conduct any interview and did not receive any money from the victim. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent Police would submit that the petitioner conspired with the other accused, cheated the innocent victim girls and sold them in Malaysia for



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prostitution and also cheated a sum of Rs.19,00,000/- from 5 other victims. Hence, he vehemently, opposed to grant anticipatory bail to the petitioner.

5.It appears that this is the second application for bail and the earlier bail application filed by the petitioner in Crl.OP(MD)No.2364 of 2024 was dismissed by this Court on 15.02.2024, considering the serious allegations levelled against the petitioner. Now, this application is filed by the petitioner without referring the change of circumstances to consider the case.

6.Considering the above facts and circumstances of the case and the fact that there is no change in circumstances, this Court is not inclined to grant bail to the petitioner.

7.Accordingly, this Criminal Original Petition is dismissed.

sd/-
18/03/2024

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/03/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SSB

To

1.The Inspector of Police,
Tallakulam Police Station.



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2.The Superintendent,
Central Prison, Madurai.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.4265 of 2024
Date :18/03/2024

ED/ JGB /SAR- (28/03/2024) 4P / 4C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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