



CRL OP(MD). Nos.7846 and 7900 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). Nos.7846 and 7900 of 2024

1.Megala,

... Petitioner/ Accused Rank Not Known
in Crl.O.P.(MD)No.7846 of 2024

2.M.Samayaselvam,

... Petitioner/ Accused Rank Not Known
in Crl.O.P.(MD)No.7900 of 2024

Vs

The Inspector of Police,
Thilagar Thidal Police Station,
Madurai City,
Madurai District.
(Crime No.179 of 2024).

... Respondent/ Complainant
in both petitions

In both petitions:

For Petitioner : Mr.R.ALAGUMANI
Advocate.

For Respondent : Mr.P.KOTTAI CHAMY,
Government Advocate (Crl.Side)

PETITIONS FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

COMMON PRAYER :- For Anticipatory Bail in Crime No.179 of 2024 on the file of
the Respondent Police.

COMMON ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for

the alleged offence punishable under Sections 4(1), 4(2)(a), 4(2)(c), 5(1)(a) and 5(1)(d)



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of Immoral Traffic (Prevention) Act, 1956 in Crime No.179 of 2024 on the file of the respondent police, seek anticipatory bail.

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2.The case of the prosecution is that the petitioner in Crl.O.P.(MD)No.7900 of 2024 is the owner of the Spa in the name and style of 'Jeni Beauty Parlour', in which, the petitioner in Crl.O.P.(MD)No.7846 of 2024 is the manager. Under the guise of conducting a spa, the petitioners are doing prostitution and therefore, the respondent police has registered the case.

3.The learned counsel appearing for the petitioners submit that the petitioners are innocents and they have not committed any offence as alleged by the prosecution. He further submits that the petitioner, in Crl.O.P.(MD)No.7900 of 2024, has already filed an application before the State Human Rights Commission as against the police officers and the same has been registered in S.H.R.C.No.1208 of 2020. The petitioner, in Crl.O.P.(MD)No.7846 of 2024, has been cited as a witness and she has deposed against the police officers before the Human Rights Commission on 29.09.2023. To wreck vengeance, a false case has been foisted against these petitioners. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl. side) for the respondent submits that the petitioner in Crl.O.P.(MD)No.7900 of 2024, has already been arrested by the respondent police.



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5. Considering the above facts and circumstances of the case and also considering the nature of allegations levelled, this Court is inclined to grant anticipatory bail to the petitioner in Crl.O.P(MD)No.7846 of 2024.

6. Accordingly, Crl.O.P(MD)No.7846 of 2024 is allowed and the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No-2, Madurai, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

- i. The petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address;
- ii. The petitioner shall appear before the respondent police daily at 10.30 a.m., and 05.00 p.m. until further orders;
- iii. The petitioner shall not misuse the liberty granted to her by indulging in any further offence and shall not tamper with the prosecution witnesses. The petitioner shall be available for the trial as well.



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iv. On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the anticipatory bail.

7. Insofar as the petitioner in CrI.O.P.(MD) No.7900 of 2024 is concerned, since he has been arrested by the respondent police, this Criminal Original Petition is dismissed as infructuous.

sd/-
06/06/2024

/ TRUE COPY /

10/06/2024
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.2,
MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,
THILAGAR THIDAL POLICE STATION,
MADURAI CITY,
MADURAI DISTRICT.

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

+1 CC to M/s.DR.R.ALAGUMANI, Advocate (SR-6246[I] dated 07/06/2024)
<https://www.mhc.tn.gov.in/judis>



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ORDER
IN
CRL OP(MD). Nos.7846 and 7900 of 2024
Date :06/06/2024

SA/SAR. /10.06.2024/5P/6C

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