



CRL OP(MD). No.11018 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/07/2024

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.11018 of 2024

Mohammed Sabeek,

... Petitioner/ Accused No.2

Vs

The Inspector of Police,
Karimedu Police Station,
Madurai District,
Crime No.329/2024.

... Respondent/Complainant

For Petitioner : M/s.Balaji Nivas.S,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.329/2024 on the file of the respondent police



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ORDER: The Court made the following order :-

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The petitioner/A2 who was arrested and remanded to judicial custody on 13.06.2024 for the offences punishable under Sections 3(1), 4(2)(a), 4(2)(c), & 5(1)(a), 5(1)(d) of the Immoral Traffic (Prevention) Act, and Section 370A(2) of IPC, in Crime No.329 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner and the other accused joined together illegally indulged the three women in prostitution in the name of SPA. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that already the co-accused was released on bail and the petitioner is in judicial custody from 13.06.2024. Hence, he may be released on bail.

4.The learned Additional Public Prosecutor would submit that the petitioner along with other accused indulged the women in prostitution in the name of SPA. However, he fairly conceded that the co-accused was released on bail by this Court.



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5.Considering the period of incarceration and also considering the facts that the co-accused was released on bail by this Court, this Court is inclined to grant bail to the petitioner on certain conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing 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 learned Judicial Magistrate No.V, Madurai District.

(i)the sureties shall affix his photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of his Aadhar card or Bank Pass Book to ensure his identity;

(ii)the petitioner shall appear before the respondent police daily at 10.30 a.m until further orders;

(iii)the petitioner shall not tamper with evidence or witness;

iv)the petitioner shall not abscond during trial.

v)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



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learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court

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

vi) If the accused thereafter abscond, a fresh FIR can be registration under Section 229A IPC.

sd/-

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

TO

1. The Judicial Magistrate No.V, Madurai District..
2. Do-Through The Chief Judicial Magistrate,
Madurai District.
3. The Superintendent, Central Prison, Madurai..
4. The Inspector of Police,
Karimedu Police Station, Madurai District.



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

ORDER
IN
CRL OP(MD) No.11018 of 2024
Date : 22/07/2024

KB(22.07.2024) 5P/ 6C

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