



CRL OP(MD). No.11740 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/07/2024

PRESENT

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

CRL OP(MD). No.11740 of 2024

Thangapandiyan

... Petitioner/ Accused No.2

Vs

The Inspector of Police,
Thideer Nagar Police Station,
Madurai District.

(Crime No 256 of 2024).

... Respondent/ Complainant

For Petitioner : Mr.Swaminathan R,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of B.N.S.S. U/s 439 of Cr.P.C.

PRAYER :-

For Bail in Crime No 256 of 2024 on the file of the Respondent Police



CRL OP(MD). No.11740 of 2024

ORDER: The Court made the following order :-
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The petitioner/A2, who was arrested and remanded to judicial custody on 30.06.2024 for the offences punishable under Sections 3(1), 4(2)(a), 5(1)(a), 5(1)(d) of the Immoral Traffic (Prevention) Act and Section 370A(2) of IPC, in Crime No.256 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner herein is the Manager of the lodge. The petitioner along with other accused persons, indulged the innocent women in prostitution on the pretext of given job. Hence, the case.

3.The learned counsel for the petitioner the petitioner is innocent and he has not committed any offence as mentioned in the FIR. He would further submit that the petitioner is in judicial custody from 30.06.2024 and hence he may be granted bail.

4.The learned Additional Public Prosecutor would submit that the investigation is in preliminary stage and the petitioner is having 2 previous cases. Hence, he vehemently, opposed to grant bail to the petitioner.



CRL OP(MD). No.11740 of 2024

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5.Considering the facts and circumstances of the case and also considering the period of incarceration, 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 Judicial Magistrate No.5 Court, Madurai

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

(ii)the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation;

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

iv)the petitioner shall not abscond during trial.



CRL OP(MD). No.11740 of 2024

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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 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].

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

sd/-
26/07/2024

/ TRUE COPY /

26/07/2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

TO

1. The Judicial Magistrate No.5, Madurai..
2. Do-Through The Chief Judicial Magistrate,
Madurai District.



CRL OP(MD). No.11740 of 2024

3. The Superintendent, Central Prison, Madurai..

4. The Inspector of Police,
Thideer Nagar Police Station, Madurai District.

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

+1 CC to M/s., R.Swaminathan, Advocate (SR-8818{I] dated 29/07/2024)

ORDER

IN

CRL OP(MD) No.11740 of 2024

Date :26/07/2024

RD(26/07/2024) 5P / 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.