



CRL OP(MD). No.18507 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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Tamilarasan,

... Petitioner/ Accused Rank Not Known

Vs

**The State of Tamil Nadu,
Rep By, the Inspector of Police,
Thirunagar Police Station,
Madurai.**

(In Crime No.425/2024).

... Respondent/Complainant

For Petitioner : M/s.M.Shakul Hameed, Advocate.

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

PETITION FOR BAIL UNDER SECTION 483 OF BNSS

PRAYER :-

For Bail in Crime No.425 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

**The petitioner/ Accused, who was arrested and remanded to judicial custody on
28.08.2024 for the offences punishable under Sections 4, 5, 5A, 5B and 6 of Immoral
Trafficking (Prevention) Act, 1956 and under Sections 98 and 144 of BNS, 2023 and**



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under Sections 17 r/w. 16 of the Protection of Children from Sexual Offences Act, 2012 in crime No. 425 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner herein used the victim girl for immoral purpose and also sent her to Madurai for brothel work. Hence, the case.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent and perused the materials available on record.

4. Considering the nature of allegations against the petitioner that the petitioner along with other accused in this case were running a brothel in which the minor victim girl was also rescued and considering the fact that the petitioner was acting as a broker and that the petitioner is in custody from 09.08.2024 and that there are no other antecedents against this petitioner, I am inclined to enlarge the petitioner on bail.

5. 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 Principal Special Court for Exclusive Trial of Cases under POCSO Act, Madurai.

(i)the sureties shall affix their photographs and left thumb impression in the

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



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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 appear 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.

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 absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
25/10/2024

/ TRUE COPY /

25 / 10 /2024

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO
WEB COPY

- 1 THE JUDGE
PRINCIPAL SPECIAL COURT FOR EXCLUSIVE TRIAL OF CASES UNDER POCSO
ACT, MADURAI
 - 2 THE OFFICER INCHARGE, SUB JAIL, THENI.
 - 3 THE INSPECTOR OF POLICE,
THIRUNAGAR POLICE STATION,
MADURAI.
 4. THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS
HIGH COURT, MADURAI.
- +1 CC to M/s.M.SHAKUL HAMEED, Advocate (SR-13216[I] dated 25/10/2024)

ORDER
IN
CRL OP(MD) No.18507 of 2024
Date :25/10/2024

PSP/ /SAR /25.10.2024/ 4P/ 6C

Madurai Bench of Madras High Court is issuing certified
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