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

Date : 30.10.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD)No.18928 of 2024

Praveen Kumar @ Naveen Praveen Raja ... Petitioner/Accused No-1

Vs

The Inspector of Police,
Thirunagar Police Station,
Madurai City,
(Crime No.425 of 2024.) ... Respondent/Complainant

For Petitioner : Mr.S.Balaji, Advocate.

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

PETITION FOR BAIL Under Sec.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 Rank No-1, who is arrested and remanded to judicial custody on 22.08.2024 for the offence punishable under Sections 3, 4, 5, 6 and 8 of

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Immoral Trafficking (Prevention) Act, Section 144 (1) of BNS Act, 2023 and Section 16 r/w. Section 17 r/w. Section 4 of the Prevention of Children from Sexual Offences Act 2012 in Crime No.425 of 2024 on the file of the respondent police, seek bail.

2.The case of the prosecution is that the petitioner has used the victim girl and other two women for immoral trafficking. Hence, the complaint.

3.Heard the learned counsel on either side and perused the material records of the case.

4.Considering the nature of allegation in this case that the petitioner was earlier an agent along with the prime accused, who is running a brothel house from where one of the minor victims was also rescued and considering the fact that the petitioner is in judicial custody from 22.08.2024, I am inclined to enlarge the petitioner on bail with certain conditions.

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 Case of POCSO Act, 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;

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(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. It is made clear that no relaxation of the condition for the said period will be entertained by this court;

(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 229A IPC.

sd/-
30/10/2024

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30/10/2024
Sub-Assistant Registrar ( )
Madurai Bench of Madras High Court,
Madurai - 625 023.

JBR

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To

1.The Judge,
Principal Special Court for Exclusive Trial of Case of POCSO Act,
Madurai.

2.The Inspector of Police,
Thirunagar Police Station,
Madurai City.

3.The Superintendent,
Central Prison, Madurai.

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

+1 CC to M/s.S.BALAJI, Advocate (SR-13446[I] dated 30/10/2024)

ORDER
IN
CRL OP(MD) No.18928 of 2024
Date :30/10/2024

ED/ /SAR- (30/10/2024) 4P / 6C

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