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Crl.O.P.No.168 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-01-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 168 of 2025

Nesakumar
S/o Chandrasekharan, No.10, Mahaveer Nagar
Extension, Sathuvachari, Vellore -632 009 and
another

Petitioner(s)

Vs

State Represented by,
Inspector of Police, HUDCO, Krishnagiri Dt.
(Ref.Cr.No.02/2025 dt. 01.01.2025)

Respondent(s)

For Petitioner(s):

Raja M
M. Raja
M.Venkatesh
M.Chinnarasu

For Respondent(s):

Public Prosecutor

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 3(2)(a), 4(1) and 5(1)(a) of the Immoral Traffic (Prevention) Act, 1956 in Crime No.02 of 2025, on the file



of the respondent police, seek anticipatory bail.

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2. The case of the prosecution is that, based on secret information, the respondent police went to the petitioner's spa, namely True Paradise spa and found the petitioners have involved three women in prostitution. Hence, this case.

3. Learned counsel appearing for the petitioners would submit that petitioners are innocent and have not committed any offence, as alleged by the prosecution. He would further submit that the petitioners herein are husband and wife and they have been falsely implicated in this case. He would further submit that the petitioners are ready to abide by any condition, that may be imposed by this Court and also to appear and co-operate for the investigation, therefore, he prayed for the grant of anticipatory bail to the petitioners.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing for granting of anticipatory bail to the petitioners submits that the petitioners/ A3 and A4 herein are husband and wife and they have involved in running prostitution along with other accused persons under the guise of spa. He further submitted that the first petitioner



herein has one previous case and the second petitioner herein has no previous case.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record including the FIR.

6. Taking note of the facts and circumstances of the case, the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Judicial Magistrate - II at Hosur, Krishnagiri District** on condition that the petitioners shall execute a separate 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:



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[a] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the first petitioner/ Nesakumar shall report before the respondent police everyday at 10:30 a.m., until further orders, the second petitioner/ Rubini shall report before the respondent police everyday at 10:30 a.m., for a period of one week and thereafter, every Saturday at 10:30 a.m., until further orders.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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



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[(2005)AIR SCW 5560].

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[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 of B.N.S.

08.01.2025

stn

To

1. State Represented by,
Inspector of Police,
HUDCO, Krishnagiri Dt.
(Cr.No.02/2025)



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A.D. JAGADISH CHANDIRA, J.

stn

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