



Crl.O.P.No.451 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 09.01.2025

CORAM

THE HONOURABLE Mr. JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.O.P.No.451 of 2025

1. Raja
2. Nanthini

... Petitioners

Vs

The State rep by
The Inspector of Police,
Nangavalli Police Station,
Salem District.
Crime No.278 of 2024.

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to enlarge the petitioners on anticipatory bail in the event of their arrest pending investigation in Crime No.278 of 2024 on the file of the respondent police.

For Petitioners :Mr.T.Muruganantham

For Respondent :Mr.Santhosh
Government Advocate (Crl.Side)

ORDER

Apprehending arrest in connection with Crime No.278 of 2024 registered for the offences punishable under Sections 3(2) (b) and 8 (a) of the



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Immoral Traffic (Prevention) Act, 1956, the present petition has been filed by the petitioners seeking anticipatory bail.

2. The case of the prosecution is that under the guise of massage centre/spa, the petitioners and the other accused have conducted prostitution. Hence, the case.

3. Pleading innocence on the part of the petitioners, false implication in the case, learned counsel for the petitioners seeks indulgence of this Court. Learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submits that the petitioners are ready to abide by any stringent condition that may be imposed by this Court.

4. The case of the prosecution as put forth by the learned Government Advocate (Crl. Side) appearing for the respondent Police, opposing for grant of anticipatory bail, is that the petitioners are arrayed as A3 & A4. The petitioners, along with other accused, were found to be involved in immoral trafficking activities. He further submitted that the 1st petitioner has one previous case pending against him and the 2nd petitioner has no previous case.



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5. Having heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions and 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 of receipt of a copy of this order, before the learned **Judicial Magistrate I, Mettur**, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only), each 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 said Magistrate, on further condition that:

[a] if the petitioners fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioners shall report before the respondent Police daily 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



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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 [(2005)AIR SCW 5560];

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

09.01.2025

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To

1. The Inspector of Police,
Nangavalli Police Station,
Salem District.
2. The Public Prosecutor,
High Court, Madras.



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A.D.JAGADISH CHANDIRA, J.

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