



Crl.OP.No.2524 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.OP.No.2524 of 2025

M.Harish Prabhu

... Petitioner

Vs.

State by Tamil Nadu,
The Inspector of Police,
K-4, Anna Nagar Police Station,
Chennai.

... Respondent

(Crime No.36 of 2025)

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to enlarge the petitioner on anticipatory bail on event of arrest in Crime No.36 of 2025 on the file of the respondent police.

For petitioner : Mr.V.Athi Seshan

For Respondent : Mr.S.Balaji,
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 3, 4(1), 5(1)(a) of Immoral Traffic Prevention Act, in Crime No.36 of 2025, seeks anticipatory bail.



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2. The case of the prosecution is that the petitioner along with A2 was running a spa in the name of Sha Unisex Spa and Saloon without a license, and that under the guise of running spa, she was running prostitution business; and that when the respondent, on information, visited the spa, the petitioner had demanded Rs.3,000/- and offered illegal services. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case and there is no previous case pending against the petitioner. He would further submit that only on the confession of A2, the petitioner was arrayed as an accused; and that custodial interrogation is not required for the purpose of investigation. Hence, he prays for grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted A2 was arrested and is currently in custody; and that on confession of A2, petitioner was arrayed as an accused. Hence, he



opposed for granting anticipatory bail to the petitioner.

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5. Heard the learned counsel appearing for the petitioner, the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

6. Considering the nature of allegations; that no previous case is pending against the petitioner, and that only on confession of A2, the petitioner was arrayed as an accused; and that custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the learned **IV Metropolitan Magistrate, Saidapet, Chennai**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties 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:

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- [a] 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 petitioner shall report before the respondent Police, everyday at 10.30 a.m., until further orders;
- [c] the petitioner shall not abscond either during investigation or trial;
- [d] the petitioner shall not tamper with evidence or witness 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 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*** reported in [(2005)AIR SCW 5560];



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

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Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
Internet: Yes/No
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To

The Inspector of Police,
K-4, Anna Nagar Police Station,
Chennai.

2. The Public Prosecutor,
Madras High Court,
Chennai.

3. The IV Metropolitan Magistrate, Saidapet, Chennai.

SUNDER MOHAN, J.

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