



WEB COPY



Crl.O.P.No.17200 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.17200 of 2025

1.Rahamath Nisha
2.Abuthakar

... Petitioners/A1 & A3

Vs.

State Rep. by
The Inspector of Police,
Sooramangalam Police Station,
Salem.
(Crime No.290 of 2025)

... Respondent

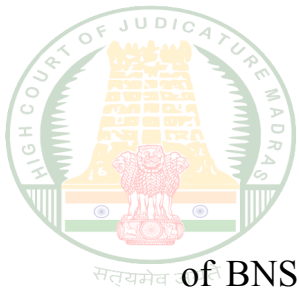
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in Crime
No.290 of 2025 pending on the file of the respondent police.

For Petitioner : Mr.Jayshree Dharbar

For Respondent : Mr.L.Baskaran
Government Advocate (Crl.Side)

ORDER

The petitioners, who were arrested and remanded to judicial
custody on 13.05.2025, for the offences punishable under Sections 3(2)(a),
4(2)(c), 5(1)(a) of Immoral Traffic (Prevention) Act, 1956 and Section 351(2)



Crl.O.P.No.17200 of 2025

WEB COPY

of BNS, 2023 in connection with Crime No.290 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioners and other accused under the guise of massage centre induced the de-facto complainant to indulge in sexual activities and demanded money. When the de-facto complainant refused to pay money, the petitioners abused him in filthy language and threatened with dire consequences. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court and he prays for grant of bail to the petitioners.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and submitted that in this case totally there are three accused, the petitioners are ranked as A1 and A3, A2 is still in jail. He further submitted that the petitioners have got no previous cases.

5. Heard both sides and perused the materials available on record.



Crl.O.P.No.17200 of 2025

WEB COPY

6. Considering the submissions made by the learned counsels on either side and the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on their executing 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 learned **Judicial Magistrate, Additional Mahila Court, Salem**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] **the petitioners shall report before the respondent Police everyday morning at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation;**

[c] the petitioners shall make themselves available for interrogation by a Police Officer as and when required;



WEB COPY



CrI.O.P.No.17200 of 2025

[d] the petitioners shall not directly or indirectly cause any threat to the de-facto complainant and witnesses;

[e] the petitioners to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, they shall comply to the directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned 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)13 SCC 283]**;

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

16.06.2025

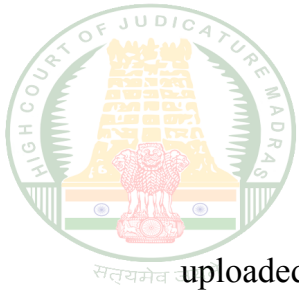
rsi

Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.

2. All concerned to act on this order being

4/6



Crl.O.P.No.17200 of 2025

uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1.The Judicial Magistrate, Additional Mahila Court,
Salem.

2.The Inspector of Police,
Sooramangalam Police Station,
Salem.

3.The Superintendent,
Central Prison,
Salem.

4.The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.17200 of 2025

M.NIRMAL KUMAR, J.

rsi

Crl.O.P.No.17200 of 2025

16.06.2025