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CRL OP No. 17548 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-07-2025

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THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 17548 of 2025

Prathap Manoharan

Petitioner(s)

Vs

State Rep by its, The Inspector of
Police,
ANTI-VICE SQUAD-1
Chennai -CCB
Chennai (Crime No.3 of 2021)

Respondent(s)

PRAYER

This Criminal Original Petition is filed under Section 482 of BNSS Act 2023 to enlarge the petitioner on Anticipatory Bail pending investigation in Crime No. 3 of 2021 on the file of respondent .

For Petitioner(s): M/s. R.Sankarasubbu

For Respondent(s): M/s.V. Meganathan GA (Crl .Side)



ORDER

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 3(2)(a), 4(1) and 5(1)(a) of Immoral Traffic (Prevention) Act, 1956 in Crime No.3 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused involved in running a massage centre/Saloon, which was being used for immoral trafficking. It is alleged that customers were being provided with illicit services, under the guise of massage services. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and has been falsely implicated in this case. It is further submitted that in the FIR, the name of the petitioner has been wrongly mentioned as “Karthik” instead of his real name, “Prathap Manoharan” and now the petitioner is ready to abide any conditions that may be imposed by this Court and ready to furnish sufficient solvent sureties for his release. Hence, the



learned counsel prays for grant of anticipatory bail to the petitioner.

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4. The learned Government Advocate (Criminal Side) appearing for the respondent police confirmed that the real name of the petitioner is Prathap Manoharan, who along with other accused committed the aforesaid offences and strongly opposed for grant of anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent police and perused the materials available on record.

6. Considering the submissions made by the learned counsel appearing on either sides and since, custodial interrogation of the petitioner is not required, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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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 days from the date on which the order copy made ready, before **the learned IV Metropolitan Magistrate, Saidapet, Chennai** on condition that of the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, and on proof of payment of deposits, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

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

[b] The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

[c] **the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation;**



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[d] the petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall make himself available for interrogation by a Police office as and when required;

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

[g] the petitioner shall not abscond either during investigation or trial;

[h] 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];

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

03-07-2025

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To
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1. The Inspector of Police,
ANTI-VICE SQUAD-1 Chennai -CCB
Chennai.
2. The IV Metropolitan Magistrate,
IV Saidapet, Chennai.
3. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR J.

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