



WEB COPY

CRL OP No. 24168 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-10-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 24168 of 2025 & CrI.M.P.No.16511 of 2025

1. Julianti @ Luh Arma Julianti
D/o.Ketut Supadma, Dusun Jerokuta,
Desa Bondalem, Kex Tejakula,
Kabbuleleng, Bali-Indonesia. (Translate
in English - Jerokuta Hamlet, Bondalem
Village, Tejakula District, Buleleng
Regency, Bali - Indonesia).

Petitioner(s)

Vs

1. The Inspector of Police,
C-1, Kattoor Police Station,
Coimbatore. Cr.No.40/2025.

2.Raja
S/o.Pandian, Melapttu, Aranthagi Taluk,
Pudukottai District. Now at
D.No.1/100, Ambika Layout, New
Siddhapurdur, Coimbatore.

Respondent(s)

PRAYER : Criminal Original Petition filed under section 528 of BNSS to call



for the records of the proceedings in CC No.1753/2025 on the file of the Learned Court Judicial Magistrate, Additional Mahila Court, at Coimbatore in Cr.No.40/2025 on the file of the respondent police and to quash the same.

For Petitioner(s): S.Senthilvel

For Respondent(s): Mr.K.M.D.Muhilan,
Additional Public Prosecutor – R1

ORDER

Challenging the final report filed in C.C.No.1753 of 2025 on the file of the Additional Mahila Court, Coimbatore for the offences under sections 4[2][c], 3[2][a] and 5[1][d] of Immoral Traffic [Prevention] Act, 1956, the present Criminal Original Petition has been filed.

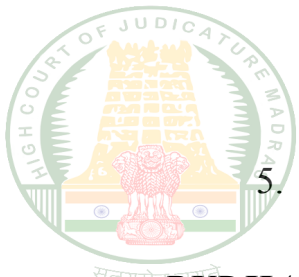
2. The petitioner is arrayed as A5 in the final report. According to the petitioner, she is a victim. Whereas, she has been made as an accused for the offence under section 4[2][c] of ITP Act. The crux of the prosecution case is that, A2 induced the defacto complainant to come to his spa for prostitution where the other accused are present. Except the said allegation, there is no



allegation made against the petitioner. According to the petitioner she was involved in prostitution and she is only a victim to the crime. Further there is no materials to show that at the relevant point of time, the petitioner had involved in any sexual act.

3. The learned Additional Public Prosecutor appearing for the first respondent submitted that under the pretext of massage centre, a brothel was run by A.1.

4. The present petition is filed by A.5. The very final report filed by the Police would indicate that the petitioner was present while sex workers were in the said massage centre. Even if the entire report is taken at its face value, the said report does not show any offence committed by the petitioner, except for the alleged presence of the petitioner at the said place. Further, there is no material to show that the petitioner was involved in any sexual act at the said place and that the persons, who have been rescued from the said place have not made any allegation against any of the individuals, much less the petitioner.



5. In this backdrop, the decision of the Hon'ble Apex Court in

BUDHADEV KARMASKAR Vs. THE STATE OF WEST BENGAL & ORS

(2022 Live Law (SC) 525), assumes significance, wherein, the Hon'ble Apex Court has held that whenever any brothel is raided, sex workers should not be arrested or penalised or harassed or victimised and it is only the running of the brothel, which is unlawful.

6. In the case on hand, merely because the petitioner was in the place, which is alleged by the respondents to be a brothel being run by some person, the petitioner cannot be fastened with any penal consequence and further, the act of the petitioner also cannot be said to be an act of pressurising the sex workers to commit acts, which they were not interested. From the aforesaid decision, any sex worker, being an adult and indulging in sexual act with his/her own consent, the police authorities should refrain from taking action against such individuals. From the facts, as is evident from the Final Report, there is no whisper about any coercion on the sex workers to commit the act, more so from the petitioner. That being the case, the petitioner not being alleged to be a



person coercing the sex worker to commit the sexual act, continuing the Final

Report against this petitioner is nothing but a futile exercise and would serve no

purpose.

7. For the reasons aforesaid, this Criminal Original Petition is allowed and the final report filed in C.C.No.1753 of 2025 on the file of the Judicial Magistrate, Additional Mahila Court, insofar as the petitioner, who is arrayed as A-5 is quashed. Consequently, connected miscellaneous petition is closed.

06-10-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

vrc

To

1. The Inspector of Police,
C-1, Kattoor Police Station,
Coimbatore. Cr.No.40/2025.

2. The Public Prosecutor,
High Court, Madras.



WEB COPY

CRL OP No. 24168 of 2025



N.SATHISH KUMAR J.

vrc

CRL OP No. 24168 of 2025

06-10-2025