



CRL OP NO. 32060 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2025

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THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 32060 of 2024

Raja @ Patel Mishalkumar,
S/o Mitha Bhai,
No.64/13, 1st Floor, JaniBhash Street, Royapettah,
Chennai – 600 014.

Petitioner(s)

Vs.

The State Rep. By,
THE INSPECTOR OF POLICE,
V-5 Thirumangalam Police Station,
Chennai. (Crime No.711 of 2024)

Respondent(s)

For Petitioner(s):

Vinoth Kumar
N. Sridhar, K. Kamali

For Respondent(s):

Public Prosecutor

ORDER

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.711 of 2024, on the file of the respondent police, seeks anticipatory bail.



2. The case of the prosecution is that the petitioner, along with other accused, under the guise of running a Spa, had indulged in running a prostitution racket with six victims. Hence, this case.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner is the owner of the Spa, and without his knowledge, it had been misused by the other accused. There are no previous cases pending against the petitioner. Therefore, he prays that anticipatory bail be granted to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police opposed for granting anticipatory bail to the petitioner. The petitioner is arrayed as A3, who is the owner of Spa, from which 6 victims were rescued. The accused A1 and A2 were arrested and are still remanded in judicial custody. There is no previous case pending against the petitioner.

5. Having heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record, upon considering the petitioner being the owner of the Spa and the co-accused were arrested and still in custody, this

Court is inclined to grant anticipatory bail to the petitioner with certain



conditions and accordingly, he 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 of receipt of a copy of this order, before the learned **XIII - Metropolitan Magistrate Court, Egmore, Chennai**, on condition that 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 said Magistrate, 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 petitioner and 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;

[c] the petitioner shall report before the respondent Police on everyday at 10:30 A.M., until further orders;

[d] the petitioner shall not tamper with evidence or witness either during the investigation or during the trial;

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

[f] 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 was released on bail by the



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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];

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

02.01.2025

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To

1. The State Rep By
THE INSPECTOR OF POLICE,
V-5 Thirumangalam Police Station,
Chennai. (Crime No.711 of 2024)



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A.D. JAGADISH CHANDIRA, J.

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