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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-12-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO.33398 of 2025

Jayakumar

Petitioner

Vs

The State Represented by
The Inspector of Police,
Thiruchengodu Rural Police Station,
Namakkal District.
Crime No.339 of 2025.

Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.339 of 2025 on the file of the respondent police.

For Petitioner:

Mr.W.Camyles Gandhi

For Respondent:

Mr.A.Gopinath
Government Advocate (Crl.side)

ORDER

The petitioner, who was arrested and remanded to judicial custody



on 10.11.2025 for the alleged offence punishable under Sections 3(1), 4(1), 5(1) (d) Immoral Traffic (Prevention) Act, 1956 in Crime No.339 of 2025, seeks bail.

2. The allegation against the petitioner is that the petitioner was running a brothel by using the victim in this case, and based on prior information, the police conducted a search, secured the victim and arrested the petitioner. Hence, the complaint was lodged and the petitioner was arrested.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and has been falsely implicated in this case. He further submitted that the petitioner is in judicial custody since 10.11.2025 and that he has no bad antecedents. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent reiterated the prosecution case and submitted that the petitioner has no bad antecedents and that the investigation is completed and the final report filed. Hence, he opposed to grant bail to the petitioner.

5. Heard both sides and perused the materials available on record including the First Information Report.



6. Considering the submissions made by the learned counsel on either side, the nature of the allegations, the fact that the petitioner has no previous case, considering the period of his incarceration, investigation is completed and final report filed, this Court is inclined to grant bail to the petitioner on certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with two sureties, for a like sum to the satisfaction of the *learned Judicial Magistrate, Thiruchengode*, and on further conditions that:-

[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 concerned Court daily at 10.30 a.m., for a period of four weeks and thereafter as and when required for interrogation;



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

[d] the petitioner shall not tamper with the 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 [(2005)AIR SCW 5560];

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

05.12.2025

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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 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,
Thiruchengode.
2. The Inspector of Police,
Thiruchengodu Rural Police Station,
Namakkal District.
3. The Superintendent,
Central Prison, Salem.
4. The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR, J.,

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CRL OP NO.33398 of 2025

05.12.2025

Page 6 of 6