



CRL.OP(MD). No.4333 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.03.2025

PRESENT

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL.OP(MD). No.4333 of 2025

Pradap Sundar Singh

... Petitioner/ A3

Vs.

State of Tamil Nadu rep. ,by its ,
The Inspector of Police,
Thallakulam Police Station,
Madurai District-625 002
Crime No.150 of 2025

... Respondent / Complainant

PRAYER :- The Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to release the petitioner forthwith on bail, in the event of the arrest of the petitioners in Crime No.150 of 2025 pending on the file of the respondent-police of Tallakulam, Madurai.

For Petitioner : Mr.R.Ramasamy

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate
(Criminal Side)

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 05.03.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.



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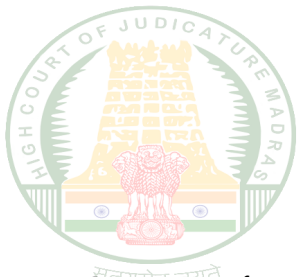
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2. The petitioner apprehends arrest at the hands of the respondent- police for the offences punishable under Sections 3(2)(a), 4(2)(a), 4(2)(c), 5(1)(a) and 5(1)(d) of Immoral Traffic (Prevention) Act 1956, in Crime No.150 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that the petitioner operated a spa under the name "Sri Thariyam Ayurveda Spa". Based on the confidential information, the defacto complainant, Inspector of Police, dispatched several individuals posing as customers to the spa. On receiving payment from these individuals, A1 and A2 in this case sent them to the room of sex workers. After confirming this information, on 07.02.2025, the defacto complainant again sent an individual to the spa. As usual, on receiving payment from this individual, the accused persons sent him to a sex worker's room. The individual then sent a WhatsApp message to the defacto complainant, who, on receiving it, proceeded to the spa with his team. There, they found four sex workers. On investigation, it was revealed that the petitioner, A1 and A2 had subjected these women to sexual exploitation under the guise of massage services. The police arrested the petitioner and rescued the said women. Hence, this case.

4. Mr.R. Ramasamy, learned counsel appearing for the petitioner, submits that after getting due license from the Madurai Corporation, the petitioner is running the

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Spa. He further submits that a false case has been foisted against the petitioner. He
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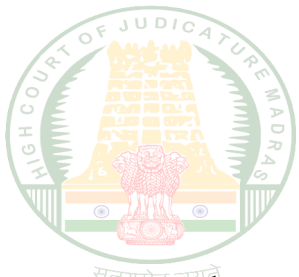
however submits that the petitioner is ready to abide by any conditions to be imposed by this Court. Hence, he prays to grant pre-arrest bail to the petitioner.

5. Mr.K.Sanjai Gandhi, learned Government Advocate (Crl. side), appearing for the respondent-police, submits that the petitioner subjected some women to sexual work in the name of a spa. He further submits that the investigation of the case is pending and therefore, at this stage, if the bail is granted to the petitioner, he will cause threat to the said women and the witnesses. Hence, he vehemently opposes to grant pre-arrest bail to the petitioner.

6. Heard on both sides. This Court has perused the records.

7. In view of offences alleged against the petitioner, this Court is of view that the custodial interrogation of the petitioner is not necessary. On perusing the records, it reveals the fact that the petitioner has permanent residence and hence, there is less possibility of absconding. Considering the same and considering the facts and circumstances of the case and with a view to give an opportunity to the petitioner to reform himself, this Court is inclined to grant pre-arrest bail to the petitioner, however, subject to certain conditions. Accordingly, pre-arrest bail is granted to the petitioner subject to the following conditions:

(i) The petitioner shall be released on pre-arrest bail in the event of his arrest



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or in the event of his surrender before the learned Judicial Magistrate No.II, Madurai, within a period of 15 days from the date on which the order copy is made ready, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned Judicial Magistrate No.II, Madurai.

(ii) 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 Judicial Magistrate shall obtain a copy of any one of identity proofs to ensure their identity.

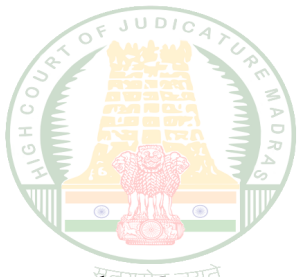
(iii) The petitioner shall appear and sign before the learned Judicial Magistrate No.II, Madurai, on all working days at 10.30 a.m., until further orders; and

(iv) The petitioner make himself available for interrogation by a police officer as and when required.

(v) The petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

(vi) The petitioner shall not, directly or indirectly, cause any threat to the defacto complainant, the victim and witnesses and shall not tamper the evidence.

(vii) The petitioner shall not leave India without the previous permission of



the Court.
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(viii) The petitioner shall furnish his residential address and mobile number to the concerned Magistrate.

(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate or Trial Court, as the case may be, is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by him as laid down by the Hon'ble Supreme Court in P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283].

8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

sd/-
07.03.2025

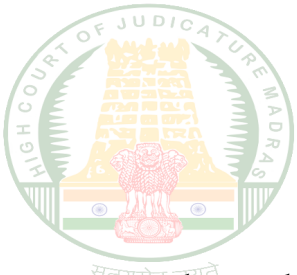
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/03/2025
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Rmk

To

1.The Judicial Magistrate No.II,
Madurai.



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2.Do through the Chief Judicial Magistrate,
Madurai District

3.The Inspector of Police,
Thallakulam Police Station,
Madurai District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
CRL.OP(MD). No.4333 of 2025
07.03.2025

SL(21.03.2025)/ 6P/ 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.