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Crl.O.P.No.2834 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-02-2026

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.2834 of 2026

1. Esakiraja
2. Sermaraj

... Petitioners/ A1 and A2

Vs

The State rep. by,
The Inspector of Police,
AVS ITP Unit,
Avadi Police Commissionerate,
Avadi, Chennai.
(Crime No.02 of 2026)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioners/accused in Crime No.02 of 2026 on the file of the respondent police.

For Petitioner(s) : Mr. S. Sasikumar

For Respondent(s) : Mr. A. Gopinath
Government Advocate (Crl. Side)



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ORDER

The petitioners, who were arrested and remanded to judicial custody on 13.01.2026 for the offences punishable under Sections 143 of BNS, 3(1), 3(2)(a), 4(1)(a), 4(2)(b), 5(1)(a) of ITP Act, r/w 67 of IT Act in Crime No.02 of 2026, registered on the file of the respondent police, seek bail.

2. The case of the prosecution is that on 13.01.2026, based on a specific information, the respondent police went to the premises of the petitioners herein and found that the petitioners were involved in trafficking victim/ women and were illegally running prostitution activities in their premises. Hence, this case.

3. The learned counsel appearing for the petitioners submitted that the petitioners have been falsely implicated in this case and they have not committed any offence as alleged by the prosecution; that they are in judicial custody since 13.01.2026; and that the petitioners are ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioners.



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4. The learned Government Advocate (Crl. Side) appearing for the respondent while opposing the bail to the petitioners reiterated the prosecution case and submitted that there are totally two accused and the petitioners herein are arrayed as A1 and A2; that three victims in this case were secured; that the petitioners have no previous antecedents; and that the investigation of this case is pending.

5. Considering the submissions made, facts and circumstances of the case, nature of offence, the fact that the victims in this case were secured and taking note of the period of incarceration undergone by the petitioners herein, this Court is inclined to grant bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties each**, for a like sum to the satisfaction of the **learned Judicial Magistrate No.I, Poonamallee** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one



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of the identity proofs to ensure their identity;

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[b] the petitioners shall report before the respondent police daily at 10:30 a.m., for a period of four weeks and thereafter, as and when required for interrogation;

[c] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners 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)13 SCC 283]**;

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

06.02.2026

stn

Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.



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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 No.I,
Poonamallee.
2. The Inspector of Police,
AVS ITP Unit,
Avadi Police Commissionerate,
Avadi, Chennai.
(Crime No.02 of 2026)
3. The Superintendent,
Central Prison, Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.

K. RAJASEKAR, J.

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