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CRL OP No. 1543 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-01-2026

CORAM

THE HON'BLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP No. 1543 of 2026

and

CRL.M.P.No. 967 of 2026

M.P.Saravanan,
S/o.Marimuthu,
No.1/437-24, Sathiya Sai Nagar,
Katiganapalli Post,
Krishnagiri - 635 001.

..Petitioner(s)

Vs

State rep. by
The Inspector of Police,
Krishnagiri Taluk Police Station,
Krishnagiri District.

..Respondent(s)

PRAYER: Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to call for records in Charge Sheet No.FR-9/2025-ORIGINAL dated 07.01.2025 on the file of the learned Additional Mahila Court, Krishnagiri and quash the same as illegal, incompetent and wholly without jurisdiction.

For Petitioner(s) : Mr.Avinash Wadhwani

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



Order

This Criminal Original Petition has been filed seeking to quash the proceedings against the petitioner in Charge Sheet No.FR-9/2025-ORIGINAL dated 07.01.2025 on the file of the Additional Mahila Court, Krishnagiri.

2.The case of the prosecution is that on 02.05.2024, based on instructions received from the Deputy Superintendent of Police, Krishnagiri, pursuant to anonymous information that prostitution activities were being carried on in a massage parlour by name “RELAX SPA” situated at SIDCO, near Fly-over Bridge, Krishnagiri–Royakottai Road, the respondent Police conducted inspection and search of the said premises. The building in which the said spa was functioning belongs to one Smt. Sri Shiva Priya, who is the wife of the petitioner herein.

3.It is the further case of the prosecution that an FIR came to be registered in Crime No.164 of 2024 for the offences punishable under Sections 3(2)(a), 4(1) and 5(1)(a) of the Immoral Traffic (Prevention) Act, 1956 against three accused persons, namely (1) Kalitha @ Anusha, (2) Jaganathan and (3) Saravanan. During the search of the said spa on 02.05.2024 the respondent Police allegedly rescued seven women who were stated to have been sexually exploited for the purpose of prostitution and seized four packets of “NIRODH” (condoms) from the premises.



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4. Upon completion of investigation, the respondent Police filed a final report against the accused for the offences punishable under Sections 3(2)(a), 4(1) and 5(1)(a) of the Immoral Traffic (Prevention) Act, 1956, which was taken on file as C.C.No.779 of 2025.

5. The learned counsel appearing for the petitioner would submit that the petitioner is merely the husband of the owner of the premises and that he has no role whatsoever in the alleged occurrence, except that the premises had been rented out. It is contended that the petitioner has not committed any offence as alleged by the prosecution and that he has been falsely implicated in the present case without any material to substantiate his involvement.

6. Per contra, the learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner is not merely an innocent owner of the premises, but that he, along with the other accused, had let out the premises for the purpose of running prostitution under the guise of operating a spa. It is contended that seven victims were rescued from the premises and that the petitioner, in concert with the other accused, had indulged in immoral trafficking activities. He would further submit that there are sufficient materials collected during the course of investigation to prima facie establish that the



petitioner had knowledge of the illegal activities being carried on in the premises.

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7. Heard the learned counsel appearing on either side and perused the materials available on record.

8. Though the petitioner contends that he is merely the husband of the owner of the premises and that he has no role in the alleged offence, the materials collected during the course of investigation, including the statements of witnesses, *prima facie* indicate that the petitioner, along with the other accused, had been in contact with the individuals concerned and had knowledge of the activities carried on in the premises. At this stage, this Court cannot undertake a detailed appreciation of the evidence.

9. At this juncture, the learned counsel appearing for the petitioner seeks permission to withdraw the petition and would seek for indulgence of this Court to dispense with the personal appearance of the petitioner before the trial Court.

10. Accordingly, this Criminal Original Petition is dismissed as withdrawn. However, acceding to the request of the learned counsel for the petitioner *qua* dispensing with the personal appearance of the petitioner, the personal appearance of the petitioner before the Trial Court is dispensed with,



except for receipt of copies, answering the charges, questioning under Section 313 of Cr.P.C., passing of judgment, or any other date as may be required by the Trial Court. However, it is made clear that the petitioner shall be duly represented by his counsel before the Trial Court on all hearing dates.

29-01-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
MPS

To

1.The Additional Mahila Judge,
Krishnagiri.

2.The Inspector of Police,
Krishnagiri Taluk Police Station,
Krishnagiri District.

3.The Public Prosecutor,
Madras High Court,
Chennai – 600 104.



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