



CRL OP(MD). No.5496 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 17/03/2026

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THE HONOURABLE MR. JUSTICE R.VIJAYAKUMAR

CRL OP(MD). No.5496 of 2026

and

CrI.M.P(MD).Nos.5960 and 5961 of 2026

K.Praveenkumar,

... Petitioner

Vs

State of Tamilnadu Rep by
Inspector of Police,
Srivilliputhur Town Police Station,
Virudhunagar District..

... Respondent

PRAYER :- Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for records relating to the impugned Charge sheet in C.C.No.95 of 2025 pending on the file of the Learned Additional Mahila Court, Srivilliputtur, and Quash the same as against the petitioner.

For Petitioner : Mr.A.Mohamedhaneef,
For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (CrI.Side)



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ORDER

The present petition has been filed by the fourth accused in C.C. No. 95 of 2025, on the file of the Learned Additional Mahila Court, Srivilliputtur, seeking to quash the charge sheet as against him, wherein he is charged with offences under Sections 3(1) and 5(1)(a) of the Immoral Traffic (Prevention) Act, 1956.

2. A perusal of the charge sheet reveals that A1, A2, and the petitioner (A4) herein are said to have been present as customers at the brothel house on 18.03.2024. When the raid was conducted by the respondent police, A1 and A2 are said to have taken the building on lease for conducting the brothel house. According to the learned counsel appearing for the petitioner, in order to attract Section 5(1)(a) of the Immoral Traffic (Prevention) Act, 1956, either there should be procurement or an attempt to procure a person with or without consent for the purpose of prostitution. In the present case, according to him, there is no such allegation in the FIR. He has also relied upon the decision of this Court reported in 2024 (2) MWN (Cr.) 92 and the order



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passed in Crl.O.P.(MD) No. 22831 of 2025, wherein the learned Single Judge of this Court was pleased to hold that Section 5(1)(a) of the Immoral Traffic (Prevention) Act, 1956 would not be attracted in the case of customers.

3. Percontra, the learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the petitioner was found in a half nudity when the raid was conducted and therefore, he was arrayed as one of the accused.

4. Heard both sides and perused the materials available on record.

5. Even as per the averments made in the charge sheet, the petitioner is said to have been only a customer and there is no allegation to the effect that he had procured or made an attempt to procure the victim girls for the purpose of prostitution. In such circumstances, this Court is of the considered opinion that the ingredients of Section 5(1)(a) of the Immoral Traffic (Prevention) Act, 1956 is not attracted insofar as the case of the petitioner is concerned.



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6. In view of the above facts, charge sheet in C.C.No.95 of 2025 pending on the file of the Learned Additional Mahila Court, Srivilliputtur is hereby quashed in so far as the petitioner is concerned and the Criminal Original Petition is allowed. Consequently, connected miscellaneous petition is closed.

17.03.2026

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To

1. Inspector of Police,
Srivilliputhur Town Police Station,
Virudhunagar District..
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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R.VIJAYAKUMAR,J

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ORDER
IN
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