

(2026) 02 MAD CK 1709

In the Madras High Court

Case No : Criminal Original Petition No. 2807 Of 2026

Sudha W/O.Anbu

APPELLANT

Vs

State

RESPONDENT

Date of Decision : 06-02-2026

Acts Referred:

Bharatiya Nyaya Sanhita, 2023 — Section 143, 269
Immoral Traffic Prevention Act, 1956 — Section 3(1), 3(2)(a), 4(1), 4(2)(a), 4(2)(b),
5(1)(a)

Citation : (2026) 02 MAD CK 1709

Hon'ble Judges : K. Rajasekar, J

Bench : Single Bench

Advocate : Senthilvel, E.Shanthakumar, A. Gopinath

Judgement

K. Rajasekar, J

1. The petitioner, who was arrested and remanded to judicial custody on 23.12.2025 for the offences punishable under Section 143 of BNS, 3(1), 3(2) (a), 4(1), 4(2)(a), 4(2)(b), 5(1)(a) of Immoral Traffic Prevention Act, 1956, in Crime No.28 of 2025, registered on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner was engaging one of the victim in this case in prostitution by running a brothel house. Hence, on the information, police went to the place and have conducted a search and rescued the victim from that place and registered a case against the petitioner and arrested him.

3. The learned counsel appearing for the petitioner submitted that the petitioner herein is not having any bad antecedents and no previous case as against the petitioner and has been falsely implicated in this case. He further submitted the petitioner is in judicial custody since 23.12.2025 and except this petitioner, no other persons were arrested in this case; and that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought for bail to the

petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent while opposing the bail to the petitioner reiterated the prosecution case and that the petitioner is not having any previous case and the victim is also rescued and that the further investigation of this case is pending.

5. I have considered the submissions made and perused the materials available on record.

6. Considering the above facts, nature of allegation and the period of incarceration undergone by the petitioner herein and taking note of the fact that there is no previous case as against the petitioner and the victim is also secured from that place, this Court is inclined to grant bail to the petitioner with 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 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 of the identity proofs to ensure their identity;

[b] the petitioner shall report before the respondent police daily at 10:30 a.m., for a period of three 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 petitioner in accordance with law as if the aforementioned 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)13 SCC 283];

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