

In the Court of the Principal District Judge, Madurai.

Present :Tmt.A. NazeemaBanu, B.A., L.L.M.,

Principal District Judge, Madurai.

Monday, this the 4th day of May 2020.

CrI.M.P.No.1893/2020

NaimovaJesina, D/o.Hameed Uzbekistan

... Petitioner/Accused.

Vs

State through the Inspector of Police,

Thideer Nagar P.S. Cr.No. 139/2020

.. Respondent/Complainant.

This petition taken up today for hearing at request through e.mail/ e.petition and after hearing the arguments of Thiru.P.Karthick, Advocate for the petitioner and of Thiru.M. Tamil Chelvan, the Public Prosecutor for the state over conference call, this court passed the following

Order

1.Bail application u/s. 439 of Cr.p.c.

2. The offences alleged are U/s. 468 and 471 of IPC.

3. Heard.

4. The learned counsel for the petitioner would submit that a case has been registered against the accused in Cr.No.139/2020 of Thideer Nagar P.S. U/Sec468 and 471 of IPC, the petitioner was arrested on 26.3.2020 and she is in judicial custody for the past 64 days, the investigation is over and prays to grant bail.

5. Per contra, the learned public prosecutor would submit that the petitioner visited India through Tourist Visa and stayed here without permission for long days. The petitioner also involved in prostitution also. The section has to be altered in this case and passport Act has to be impleaded. Due to the Pandemic situation, he objected to grant bail to the petitioner.

7. In reply, the learned counsel for the petitioner would submit that the petitioner may be kept in quarantine till the lockdown is over.

6. Considered the argument of the both sides. The petitioner is a female and she is in judicial custody for the past 64 days. Considering period of

incarceration for the past 64 days, and substantial part of investigation is over and also considering the fact that the petitioner is a female this Court is inclined to grant bail to the petitioner on condition.

7. In the result, the Petitioner is ordered to be enlarged on bail on her executing own bond for Rs.10,000/- to the satisfaction of the **Superintendent, Central Prison, Puzhal, Chennai Madurai**. **The petitioner is directed to be kept in Government Quarantine.** After a period of 8 weeks, the petitioner should surrender before the Judicial Magistrate concerned and execute a fresh bond for Rs.10,000/- with two sureties for likesum each to the satisfaction of Judicial Magistrate concerned. Thereafter, the petitioner shall appear and sign before the Inspector of Police, Respondent Police Station daily at 10.00 a.m., until further orders. The petitioner shall co-operate with the investigation and he shall not threaten the witnesses, he shall not induce witnesses and he shall not cause obstacles to the pending investigation. If there is any violation of condition, the Investigation Officer is within his discretion to approach the Court of the learned Judicial Magistrate concerned for cancellation of bail order though bail granted by the Sessions Court, as per ruling of the Hon'ble Supreme Court reported in *P.K. Shaji /Vs./State of Kerala (2005) AIR SC W 5560*. Accordingly, the petition is allowed.

Pronounced by me in Camp Court on the 4th day of May 2020.

Sd/- A.Nazeema Banu

Principal District Judge, Madurai

Copy to

1. The Judicial Magistrate concerned
2. The Inspector of Police, Thideer Nagar P.S.
3. The Superintendent, Central Prison, Puzhal, Chennai
4. The Petitioner through his counsel.