

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.534 OF 2015

Janki Ramu Punna.

..Applicant.

vs.

The State of Maharashtra.

..Respondent.

Mr. R.N. Watulkar for the Applicant.

Mr.S.H.Yadav, APP. for the State.

Mr.Rasam,PSI,Vakola Police Station present.

CORAM : SMT. SADHANA S. JADHAV, J.

DATE : 14 JULY 2015

PC:

This is an application under Section-438 of the Cr.PC. The applicant herein is apprehending her arrest in Crime No.649/2014 registered at Vakola Police Station for offences punishable under Section 370(3) of the I.P.C. and under Section 3,4,5 7(1-B) of PITA Act.

2) It is the case of the prosecution that on the basis of secret information, the Police Personnel of Civil Services Branch had raided the premises at Room No.3, Suyog Sadan, A Wing, Anand Nagar, Santacruz, Mumbai. The police authorities had conducted panchanama of the scene of the offence. They had found two ladies in the said premises and it was clear that the

said premises were being used as brothel. Two ladies who were aged about 30 to 32 and the third girl who was rescued was about 19 years old. It has transpired in the course of investigation that the said premises was given on leave and licence agreement in favour of the present applicant and hence, police authorities had issued notice to the applicant under Section 41 of the Cr. P .C. She apprehended arrest and therefore approached the Sessions Court seeking pre-arrest bail. The Sessions Judge has rejected the said application on the ground that the applicant is owner of the premises where prostitution was being carried out. Learned counsel for the applicant submits that the applicant was care taker of the old aged mother of original accused No.1. Since the accused No.1 did not have documents for executing the leave and licence agreement the applicant was forced to sign the document. Therefore, leave and licence agreement was executed in the name of the applicant. It is also submitted that the applicant is senior citizen aged about 64 years. In view of this, the applicant deserves pre-arrest.

ORDER

- a) In the event of arrest, by way of ad interim relief, the applicant be enlarged on bail on her furnishing P.R. bond in the sum of Rs.25,000/- with one or two sureties in the like amount.
- b) The applicant shall report to the police station as and

when called.

c) It is made clear that the observations made herein above are restricted to the application under Section 438 of the Cr.P.C. and shall not be considered for the purpose for quashing of FIR, Discharge application or at the time of trial.

(SMT. SADHANA S. JADHAV, J.)