

THE HON'BLE SRI JUSTICE M.S. RAMACHANDRA RAO

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Crl.P.No.367 of 2015
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ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking quashing of C.C.No.1814 of 2014 on the file of I Additional Chief Metropolitan Magistrate, Visakhapatnam.

2. The petitioner herein is A-3 in the said case.

3. The learned counsel for the petitioner contends that petitioner was found to be present at the time when the raid was conducted by the police on the premises of A-1 and A-2 who were found to be running a brothel and that mere presence of the petitioner at that time would not lead to presumption that the petitioner had committed offence under the provisions of the Immoral Traffic (Prevention) Act, 1956.

4. A reading of the charge sheet indicates that there is specific allegation against the petitioner that he was living on the earnings of the victims. So it is not a case where the petitioner has been arrayed as accused merely on the ground that he was present at the time when the raid was conducted. Since the allegations in the charge sheet taken on their face value and accepted their entirety, *prima facie*, constitute an offence against the petitioner, I am of the opinion that it is not a fit case to quash C.C.No.1814 of 2014.

5. I therefore do not find any merit in this Criminal Petition and the same is accordingly dismissed.

6. With the above observation, the Criminal Petition is dismissed.

7. As a sequel, the miscellaneous petitions, if any pending,

shall stand closed.

JUSTICE M.S. RAMACHANDRA RAO

Date : 30-01-2015
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