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HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

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CRIMINAL PETITION NO. 3082 OF 2015

ORDER:

This application is filed by the petitioner seeking quashment of FIR No. 44 of 2015 on the file of Chaitanyapuri Police Station, Ranga Reddy District.

Petitioner herein is accused No.3 and in the said FIR he is alleged to have committed offences under Sections 3, 4 and 5 of Immoral Traffic (Prevention) Act, 1956 ("the Act" for short). The allegation against the petitioner is that the petitioner was only a customer and not running the brothel house as alleged. In ***Goenka Sajan Kumar vs. The State of A.P.*** and ***Z. Laurdiah Naidu vs. State of Andhra Pradesh*** as well as in judgment dated 11.3.2015 in CrI.P.No. 1536 of 2015 this court has held that customers who visit brothel house cannot be treated as offenders under the provision of this Act and cannot be prosecuted under the Act. This legal position is not disputed by the learned Public Prosecutor.

Therefore, this Criminal Petition is allowed and FIR No. 44 of 2015 on the file of Chaitanyapuri Police Station, Ranga Reddy District is quashed.

As a sequel thereto, miscellaneous petitions, pending if any, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 21.04.2015

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