

THE HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.29858 OF 2015

ORDER:

This writ petition is filed under Article 226 of the Constitution of India for the following relief:

“to issue a writ or order more particularly one in the nature of writ of mandamus declaring the action of the respondents 2 to 5 in detaining the petitioners 1 to 3 mother and 4th petitioner daughter namely Jurru Vijaya W/o.Late Chandu confined at 4th respondent Home as illegal, arbitrary, unjust and also against Article 21 of Constitution of India and also against the Provisions of the Immoral Traffic (prevention) Act 1956 and rules thereon and consequential directions to the respondents 2 to 5 to give interim custody of the detainee namely Jurru vijaya W/o.Late Chandu who is lying at 4th respondent Home to the petitioner forthwith and to pass such other order or orders may deem fit and proper in the circumstances of the case.”

2. When the matter is called today, written instructions dated 19.09.2015, furnished by the Sub-Inspector of Police, Meerpet Police Station, Cyberabad, Rangareddy District, have been placed on record by the learned Government Pleader for Home and the said instructions read as under:

“It is respectfully submitted that as per the records, the facts of the case are as follows:-

On 19.8.2015, the Assistant Commissioner of Police, Vanasthalipuram Division got reliable information about running of a brothel in the premises bearing H.No.4-140, Pragathi colony, Meerpet village, Saroomagar Mandal, Ranga Reddy District and issued a search warrant to the Sub Inspector of Police authorizing him to enter into the said premises and search the premises and act what is all necessary as per the provisions of law. The Sub Inspector of Police, Meerpet Police Station secured the presence of two

panchayatdars and briefed them about the proposed raid. As they agreed to act as panchayatdars, the Sub Inspector of Police along with them and his staff had been to the said premises in the police vehicle and reached the first floor at 14.30 hrs and apprehended one lady who was present in the hall. On enquiry, she revealed her name as Gonthosu Rani, w/o.Naresh Babu. Later entered into the bed room of said portion and found one male and female were found in side of the room, who tried to escape, the Sub Inspector of Police with the assistance of his staff apprehended them and taken them into custody. On enquiry with the persons who were caught in the bed room, they revealed their names as Bonagiri Sai Kumar, son of Jagannath, aged 25 years, resident of Mohan Nagar, Saroomagar Mandal and Smt.Jurru Vijaya, w/o.Chandhu, aged 28 years, resident of Jillalaguda, Saroomagar Mandal and on further enquiry Gonthosu Rani stated that she procured the said victim Smt.Jurru Vijaya for sexual work for the purpose of doing prostitution. On 19.8.2015 at about 14.00 hrs, the customer Bonagiri Sai Kumar came to her house and he went into the room with Jurru Vijaya for sex while he was in sexual exploitation of procured victim Vijaya, the police surprised the premises. Later A1 and A2 Mr.Gonthosu Rani and Sai Kumar were brought to the police station and basing on their confessional statement, a case in Cr.No.553/2015 u/secs.4 and 5 of Immoral Traffic (Prevention) Act, 1956 & 370(2)(A) IPC was registered on the file of Meerpeta Police Station, Cyberabad Commissionerate on 19.8.2015 and taken up the investigation.

Basing on the confessional statements, A1 and A2 were remanded to judicial custody.

It is humbly submitted that the victim Smt.Jurru Vijaya (daughter of the petitioner herein) was produced before the Hon'ble Court of III Metropolitan Magistrate, Cyberabad at LB Nagar, Hyderabad on 20.8.2015 praying for protection and welfare in rescue home.

Pursuant to the requisition filed before the Hon'ble Court, the Hon'ble Court sent the victim Smt.Jurru Vijaya (daughter of the petitioner herein) to Prajwala Rescue Home, near Charminar Bus Stand, Hyderabad on 20.8.2015. As per the orders of the Hon'ble Court, at

present the victim is under the custody of Prajwala Rescue Home-4th respondent herein.

It is respectfully submitted that the action of the respondent in producing the victim woman Smt.Jurru Vijaya (daughter of the petitioner) before the concerned Hon'ble Court for sending her to rescue home and as per the orders of the Hon'ble Court, the victim was sent to Rescue Home, is in accordance with law.

It is pertinent to important that at no point of time, this respondent police illegally detained the daughter of the petitioner (victim Smt.Jurru Vijaya).

It is also pertinent to submit that it is always open for the petitioner to make a representation before the concerned Hon'ble Court seeking custody of the victim woman."

3. On noticing the said instructions, learned counsel for the petitioner requested this court to dispose of the writ petition by recording the written instructions and also permit the petitioner herein to make necessary application before the court below for appropriate relief.

4. In view of the above, writ petition is disposed of, by recording the written instructions dated 19.09.2015, furnished by the Sub-Inspector of Police, Meerpet Police Station, Cyberabad, Rangareddy District and keeping it open for the petitioner herein to move necessary application before the court below for custody.

5. Miscellaneous petitions pending consideration, if any, in the Writ Petition shall stand closed in consequence. No order as to costs.

A.V.SESHA SAI, J

28th September, 2015
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