

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

MONDAY, THE SEVENTH DAY OF SEPTEMBER
TWO THOUSAND AND FIFTEEN

PRESENT
THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL PETITION No.7756 of 2015

Between:

Binoof

..... PETITIONER/A4

AND

The State of Telangana,
Rep.by its Public Prosecutor,
High Court at Hyderabad and another

.....RESPONDENTS

The Court made the following:

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL PETITION No.7756 of 2015

ORDER:

This criminal petition is filed under Section 482 Cr.P.C to quash the proceedings in P.R.C.No.5/2015 on the file of the IX Metropolitan Magistrate, Cyberabad at Kukatpally, Ranga Reddy District, registered for the offences punishable under section 6 of Prevention of Immoral Traffic Act.

Heard the learned counsel for the petitioner/A4 and the learned Additional Public Prosecutor, representing the State.

The allegations in brief are that the petitioner/A4 was a customer in the alleged offence alleged to have committed under section 6 of

Prevention of Immoral Traffic Act.

While dealing with the similar issue, vide judgment dated 08.04.2015, this Court in CrI.P.No.2826/2015, by referring two judgments in *Goenka Sajan Kumar vs. the State of A.P* and *Z.Lourdiah Naidu vs. State of Andhra Pradesh* held that a customer is not liable to be prosecuted for the offence either under Section 3 or under section 6 of Prevention of Immoral Traffic Act.

In that view of the matter, continuance of proceedings against the petitioner/A4 are nothing but abuse of process of law and hence they are liable to be quashed.

In the circumstances, the Criminal Petition is allowed, the proceedings in P.R.C.No.5/2015 on the file of the IX Metropolitan Magistrate, Cyberabad at Kukatpally, Ranga Reddy District against the petitioner/A4 are hereby quashed.

Pending miscellaneous applications, if any, shall stand closed in consequence.

M.S.K.JAISWAL,J

Date: 07.09.2015

Dsr