

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

**BAIL APPLICATION NO.522 OF 2015
IN
CRIMINAL REVISION APPLICATION NO.602 OF 2015**

Sudha Krushna Reddy & Ors. Applicants
Vs.
The State of Maharashtra Respondent

Mr. Prabhanjay R. Dave, Advocate for the Applicants.
Mr. Deepak Thakare, A.P.P. for the Respondent-State.

Coram : Smt. R.P. SondurBaldota, J.

Date : 4th February, 2016

P.C.

1 The applicants in this application for bail are convicted of the offences punishable under Sections 3(1), 4(2) (a), 7(1)(b) of the Immoral Traffic (Prevention) Act, 1956. Their conviction by the trial court is dtd. 7th September, 2011. That conviction has been confirmed by the Sessions Court by it's order dtd.15th December, 2015. Being aggrieved by the concurrent findings and decisions of conviction, the applicants approached this court by way of Criminal Revision Application No.602 of 2015. That application was admitted on 27th December, 2015.

2 The police from Nagpada Police Station conducted raid on 16th December, 2008 in the premises where a brothel was being conducted with applicant no.1 as the Manager and applicants no.2 and 3 as the pimps. Ten women were rescued in the raid. Both the applicants were present in the premises at the time of the raid. The arguments of the applicants in their defence were that i) the women were adults and had engaged in prostitution for a substantial period of time, ii) one of the victims examined in the court was a tutored witness and had identified the applicants at the instance of an officer of Navjeevan Mahila Sudhar Gruh, where she was kept after the rescue operation, iii) no statements of the neighbours or the people who were present at the time of raid were recorded, iv) the panch witness was a seasoned panch having admittedly acted as a panch in almost 100 similar cases and v) the police officer conducting the raid not being a special police officer as required under the Immoral Traffic (Prevention) Act, 1956. All these contentions have been considered in detail by the courts below. In view of the presence of the applicants at the time of raid, there cannot be any dispute as regards their identification. There is sufficient material on record to support conviction of the applicants and considering the serious nature of the offences, I am not inclined to grant bail to the applicants, particularly when they have been convicted of the offences of

living on the proceeds of the prostitution. Hence, the application is dismissed.

3 At the request of Mr. Dave, hearing of the revision application is expedited.

(Smt. R.P. SondurBaldota, J.)