

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.13431 of 2016

ORDER:

Heard learned counsel for the petitioner/A.2 and learned Additional Public Prosecutor and perused the material available on record.

2. The petitioner/A.2 filed the present application under Section 438 Cr.P.C. seeking release in the event of his arrest in connection with Crime No.175 of 2016 of Bhimavaram II Town Police Station, West Godavari District, registered for the offences punishable under Sections 3, 4, 5 and 6 of the Immoral Traffic Prevention Act, 1956.

3. Case of the prosecution is that on 26.07.2016 on receipt of credible information about illegal activities of the accused i.e., doing prostitution in Sunnam Anjaneyulu Apartment, the police along with mediators went to the apartment of the accused and knocked the door. A.1 opened the door and on seeing the police, she tried to escape, but police apprehended her and questioned the illegal activities. But, she failed to give any proper reply. Basing on these allegations, the present case came to be registered.

4. During the course of investigation, it came to light that A.1, who is wife of A.2, was organizing prostitution business in the house by taking money from the prostitutes. On 26.07.2016, A.2 brought L.W.1 to the house. A.1 contacted A.3 and sent him to L.W.1, who is in her house, by receiving cash of Rs.3,000/- to indulge in prostitution.

5. Learned counsel for the petitioner mainly submits that the petitioner is innocent of the offences alleged; that the petitioner is not

present at the scene of offence, hence prays to grant bail to the petitioner.

6. Learned Additional Public Prosecutor opposed the same contending that the entire prostitution business is done by the petitioner with the help of his wife, who is arrayed as A.1 and hence, prays to dismiss the petition.

7. As seen from the material on record, it is clear that at the time when the police raided the house of the accused, A.1 and A.3 were present in the house. The petitioner, who is husband of A.1, used to bring ladies and was running prostitution in the house. On the date of incident, A.1 allowed A.3 and L.W.1 for prostitution in her house. After recording the statements, the police arrested A.1 and A.3. Apart from the statements made by A.1 and A.3, the material on record discloses that the petitioner used to get and supply the said women to A.1 for doing prostitution business. Having regard to the allegations levelled against the petitioner, which are serious in nature, I am not inclined to grant bail to the petitioner. However, the petitioner/A.2 is at liberty to surrender before the Magistrate concerned and move an application for regular bail, after giving prior notice to learned Public Prosecutor, in which event, the same shall be dealt with, in accordance with law, at the earliest.

8. Accordingly, the Criminal Petition is disposed of.

JUSTICE C. PRAVEEN KUMAR

SEPTEMBER 20, 2016

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Date: 20.09.2016

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