

**THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY**

**CRIMINAL PETITION NO.9029 OF 2017**

**ORDER:**

Petitioner, who is A3 Cr.No.213 of 2017 on the file of Station House Officer, Gandhinagar Police Station, Hyderabad City, registered for the offences punishable under Sections 370 IPC and 3,4, 5 (1) (a) of Immoral Trafficking (Prevention) Act, 1959, filed this petition under Sections 437 and 439 Cr.P.C. seeking bail.

2. Learned counsel for the petitioner submitted that the petitioner hails from respectable family. He further submitted that even if the allegations made in the complaint are *ex facie* taken to be true and correct, no *prima facie* case is made out against the petitioner; therefore, it is a fit case to grant bail to the petitioner. **Per contra**, learned Additional Public Prosecutor representing the State submitted that investigation is still in progress; therefore, it is not a fit case to grant bail to the petitioner.

3. The case of the prosecution is that the petitioner along with other accused is procuring innocent girls for the purpose of prostitution. It is the further case of the prosecution that on 09.08.2017, the Inspector of Police, Gandhinagar P.S. apprehended the petitioner and others and seized Rs.7,520/-, 30 unused condoms and one Innova car. After completion of necessary formalities, the Inspector of Police registered the above case and produced the petitioner and other accused before the concerned Court for judicial custody.

4. The petitioner filed Crl.M.P.No.2811 of 2017 on the file of the Special Judge for Trial of offences under S.Cs and S.Ts (POA) Act-cum-VI Addl. Metropolitan Sessions

Judge, Secunderabad, under Section 439 Cr.P.C. seeking bail and the same was dismissed on 14.09.2017 on the ground that investigation is in progress.

5. A perusal of the record *prima facie* reveals that the petitioner along with other accused is procuring innocent girls for the purpose of prostitution. The record further reveals the role played by the petitioner in the commission of offence. The record further reveals that the petitioner is an accused in Cr.No.656 of 2011 of Madapur P.S. and in Cr.No.569 of 2011 of Jubilee Hills P.S., for the offences punishable under Sections 370 IPC and 3,4, 5 (1) (a) of Immoral Traffic Prevention Act. As rightly pointed out by the learned Additional Public Prosecutor, if the petitioner is released on bail, the possibility of tampering with the prosecution witnesses cannot be ruled out completely.

6. Taking into consideration the nature of the offences alleged to have been committed by the petitioner and the stage of investigation, I am of the considered view that it is not a fit case to grant bail to the petitioner at this stage.

7. Accordingly, the Criminal Petition is dismissed.

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**T.SUNIL CHOWDARY, J**

**DATED: 03-10-2017.**

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