

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.6880 of 2017

ORDER:

This Criminal Petition is filed, by the petitioners/accused Nos.1 to 7, under Sections 437 and 439 of Cr.P.C., seeking regular bail in Crime No.248 of 2017 on the file of the Station House Officer, Vemulawada Town Police Station, registered for the offences punishable under Sections 4, 5 and 6 of the Immoral Traffic (Prevention) Act, 1956 and Sections 342, 365 and 370 of I.P.C.

2. The learned counsel for the petitioners strenuously 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 petitioners for the offences punishable under Sections 4, 5 and 6 of the Immoral Traffic (Prevention) Act and Sections 342, 365 and 370 of I.P.C. He further submitted that even as per the allegations made in the complaint, accused No.8 alone committed the alleged offences and she was arrested on 29.07.2017. He also submitted that the major portion of the investigation was completed and even if the petitioners are released on bail, there is no chance to tamper the prosecution witnesses.

3. *Per contra*, the learned Additional Public Prosecutor submitted that the allegations made in the complaint *prima facie* reveal the role played by the petitioners in the commission of the offences. He further submitted that the investigation is in progress and if the petitioners are released on bail, the possibility of tampering the witnesses cannot be ruled out completely.

4. A perusal of the record reveals that V.Madhavi, Circle Inspector of Police, Vemulawada Rural is the *de-facto* complainant.

The case of the prosecution is that the petitioners along with accused No.8 have been running a brothel house at Vemulawada by procuring the victims from different places. It is the further case of the prosecution that accused No.8 detained L.W.1 at Siddipeta for a period of two months and forced her for prostitution for personal gain. Thereafter, L.W.1 was shifted to Vemulawada and detained in the house of the petitioners for the purpose of prostitution. The petitioners filed CrI.M.P.No.970 of 2017 in Crime No.248 of 2017 on the file of the Judge, Family Court-cum-Additional Sessions Judge, Karimnagar, under Section 439 of Cr.P.C. and the same was dismissed on 22.07.2017. The petitioners were arrested on 08.7.2017 and produced before the Court of Judicial Magistrate of First Class, Vemulawada for judicial custody.

5. I have carefully perused the C.D. file. L.Ws.1 to 4 have stated that the petitioners herein forced them for prostitution. A perusal of the record *prima facie* reveals the role played by the petitioners in commission of the offences. The record further reveals that the investigation is in progress and if the petitioners are released on bail, there is every chance to tamper the prosecution witnesses.

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

7. Accordingly, the Criminal Petition is dismissed.

T.SUNIL CHOWDARY, J

Date: 16.08.2017

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