

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Criminal Petition No.10653 of 2017

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner/accused No.4, for grant of anticipatory bail in the event of his arrest in Crime No.373 of 2017 on the file of the Kurnool III Town Police Station, Kurnool District, registered for the offences punishable under Sections 366-A, 370, 370(A) read with Section 34 of I.P.C., Sections 4, 5, 6 and 7 of The Immoral Traffic (Prevention) Act, 1956, and Section 4 of the Protection of Children from Sexual Offences Act, 2012.

2. Heard the learned counsel for the petitioner/accused No.4, learned Additional Public Prosecutor representing the respondent-State and perused the record.

3. The learned counsel for the petitioner/accused No.4 would submit that the petitioner/accused No.4 is innocent person and falsely implicated in the case. DSR Lodge belongs to his son-in-law and daughter-in-law. There is a registered document to that effect. The said Lodge was given on lease to one M.Balaranga Reddy on 19.05.2016. The petitioner/accused No.4 is residing at Nandyal and the Lodge is situated opposite to the Kurnool Bus Stand. The petitioner/accused No.4 has nothing to do with the Lodge and he was falsely implicated in this case and ultimately prayed to allow this petition.

4. On the other hand, the learned Additional Public Prosecutor opposed the grant of anticipatory bail to the petitioner/accused No.4.

5. The point for determination is whether the request of the petitioner/accused No.4 can be acceded to.

6. The material collected so far in this case and the statements of the other accused during the course of investigation would go to show that DSR Lodge is being run by the petitioner/accused No.4 and he is indulging in supply of girls to the customers of the Lodge through the boys working in the said Lodge with the help of men and women, who are arrayed as accused in this case. It is brought to the notice of this Court that an amount of Rs.2,000/- per customer is collected to allow the customer to commit prostitution in the Lodge. Room Nos. 401 and 402 of the said Lodge are earmarked for the purpose of prostitution. Moreover, the lodge is situated opposite to Kurnool Bus Stand. There is material to show the involvement of the petitioner/accused No.4 in facilitating the prostitution in the DSR Lodge. The question as to who is actually owning the Lodge can be decided only after investigation. The allegations are grave. It is not a fit case to grant anticipatory bail under Section 438 of Cr.P.C.

7. Hence, the Criminal Petition is dismissed.

Miscellaneous petitions, if any, pending in this Criminal Petition, shall stand closed.

Dr. SHAMEEM AKTHER, J

10th November, 2017
Bvv