

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION NO.12231 OF 2017

ORDER:

This criminal petition is filed to relax the condition imposed in CrI.M.P.No.2229 of 2017 in Crime No.387 of 2017 dated 30.10.2017 passed by the III Additional Chief Metropolitan Magistrate, Hyderabad.

The III Additional Chief Metropolitan Magistrate, Hyderabad passed an order on 30.10.2017 in CrI.M.P.No.2229 of 2017 in Crime No.387 of 2017 (S.R. Nagar Police Station), directing the petitioner/father to receive the victim woman towards his interim custody, after six months from the date of order i.e. 30.10.2017, on executing a bond for Rs.1,00,000/- with an undertaking to produce the victim woman as and when required by the Court in safe and sure conduct and to take proper care and protection of the victim woman and to look after her welfare. Further, condition is imposed that the petitioner/father shall not act detrimental to the interest and welfare of the victim girl and he shall not cause any disturbance to her personal life and liberty and shall not act against the interest and safety of the victim woman. Challenging the said condition in the order, the present criminal petition is filed.

On 12.12.2017 this Court passed an order to produce the victim woman before this Court on 18.12.2017, who is under the shelter of Prajwala Rescue Home, Hyderabad. Pursuant to the

order passed by this Court on 12.12.2017, the victim woman is produced before this Court.

The order under Section 17-A(2) of the Immoral Traffic (Prevention) Act, 1956, cannot be passed mechanically and sufficient time has to be given to victim woman to realise her mistake and conduct herself properly, since there is a possibility of inducting the victim woman into such flesh trade by the family members once again and at this stage, it is difficult to decide who is responsible for inducting the victim woman in such heinous crime of living on prostitution. Therefore, the Secretary, Prajwala Rescue Home, Hyderabad, is directed to send report as to the conduct of the victim woman in the first week of every month. Further, III Additional Chief Metropolitan Magistrate, Hyderabad, is directed to give interim custody of the victim woman to the petitioner/father, subject to recording satisfaction and the petitioner/father is at liberty to file appropriate before the III Additional Chief Metropolitan Magistrate, Hyderabad.

With the above direction, this criminal petition is disposed of.

Consequently, miscellaneous applications pending if any, shall also stand dismissed. No costs.

JUSTICE M. SATYANARAYANA MURTHY

Date:18.12.2017

SP