

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL APPLICATION (BAIL) NO. 239 OF 2018

DEBORAH RODRIGUES, PRESENTLY IN
JUDICIAL CUSTODY AT COLVALE, THR.
ROZANO S. FERNANDES.,

... Applicant

Versus

STATE, THR. POLICE INSPECTOR CRIME
BRANCH POLICE STATION, RIBANDAR
AND ANR.,

... Respondents

Shri Galileo Francisco Teles, Advocate for the applicant.
Shri S. R. Rivankar, Public Prosecutor for the State.

Coram:- C. V. BHADANG, J.

Date:- 10th September 2018

P.C.

This is an application for bail.

2. The applicant is an accused in Crime No.89/2018 of Crime Branch Ribandar, under Section 370(3) of Indian Penal Code (IPC), read with Sections 4, 5 and 7 of Immoral Traffic (Prevention) Act, 1956 (the Act of 1956, for short).
3. According to the applicant, she is a qualified beautician by profession and is running a Beauty Parlour since the year 1990, after obtaining all the required permissions from the Government Authorities. The applicant had, in fact, produced all such permissions before the learned Sessions Judge.
4. According to the prosecution, there was a raid conducted at the Beauty Parlour run by the applicant on 24/07/2018, by

sending a decoy customer, in which it was found that the applicant is indulging into the offence under the Act of 1956, under the garb of conducting the business of Beauty Parlour. In the raid, a victim girl was also rescued. The learned Sessions Judge has refused to grant bail to the applicant mainly on the ground that the offences are punishable with imprisonment, which is not less than 10 years and which can be extended upto imprisonment for life and further on the ground that there was previous similar offence registered against the applicant.

5. I have heard the learned Counsel for the applicant and Shri Rivankar, the learned Public Prosecutor for the State.

6. It is the common ground that the investigation is complete and the chargesheet is filed. The applicant being a lady, would be entitled to the benefit of proviso to Section 437 of Cr.P.C. Considering the overall circumstances and the change in the circumstances about filing of the chargesheet, I find that the applicant can be released on bail, subject to strict conditions.

Hence, the following order :

ORDER

- (i) The application is allowed.
- (ii) The applicant shall be released on bail on executing a P.R. Bond in the sum of Rs.50,000/- with one or two solvent sureties in the like amount.
- (iii) The applicant shall not influence or tamper with the prosecution evidence or witnesses and shall not indulge

into any similar offence.

(iv) In the event of breach of any of the conditions, the bail is liable to be cancelled.

(v) Bail bonds to be furnished before the learned Judicial Magistrate, First Class, Mapusa.

(vi) The Criminal Application is disposed of.

C. V. BHADANG, J.

SMA