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***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION***

ANTICIPATORY BAIL APPLICATION NO. 2416 OF 2018

Anjana Baburao Ghadge

... Applicant.

V/s.

The State of Maharashtra.

... Respondent.

Mr. Sandeep Kumar Singh I/b. Maharashtra Legal Associates for
the Applicant.

Ms. Rutuja Ambekar, APP for the Respondent - State.

CORAM : A.S. Gadkari, J.

DATE : 27th November 2018.

P.C. :-

This is an application under Section 438 of Code of Criminal Procedure for pre-arrest bail in C.R. No. 697 of 2018 registered with Satara City Police Station for the offence punishable under Section 370(1)(2) r/w. 34 of the Indian Penal Code and Section 4.5 & 6 of Immoral Traffic (Prevention) Act, 1956.

2. Heard learned Counsel appearing for the Applicant and the learned APP. Perused the record.

3. It is the prosecution case that on receipt of confidential information that, the vocation of prostitution was being conducted at Status Lodge, Satara. Police decided to lay a trap and accordingly a decoy customer was sent. The decoy customer was provided with specific currency notes to give it to the concerned woman. After receipt of signal, the Police conducted raid at the said premises and found three adult women indulging into the said activities of prostitution. During their preliminary inquiry, the said victim women informed the Police that the Applicant has induced them to indulge into the said vocation. That the Applicant provided accommodation for them at Satara and the Applicant, by accepting amounts from customers used to send the said victim women to accompany the customers at Status Lodge. The victim women were knowing the Applicant by her pet name 'Akka'. During the course of investigation, the identity of the said 'Akka' is revealed and it is the Applicant who is the said woman named as 'Akka'. The record further indicates that since the date

of lodgment of the crime, the Applicant was not traceable to the Police.

4. The learned Counsel for the Applicant submitted that the investigation of the present crime is already completed and the Police have submitted charge-sheet. He further submitted that the Applicant is a woman aged about 60 years and she is not the said woman as was disclosed by the victim women as “Akka”. He submitted that custodial interrogation of the Applicant is not necessary for investigation of the present crime and the Applicant may be released on pre-arrest bail.

5. As noted earlier, the victim women in their enquiry have revealed the name of the Applicant as “Akka” and has given specific mobile numbers which were used by the Applicant in commission of the present crime. The record of investigation clearly indicates that the Applicant was earning her livelihood on the basis of money earned from the vocation of prostitution. As the Applicant induced victim women to indulge into the said vocation, Section 370 of the Indian Penal Code is clearly applicable to the present crime.

6. After taking into consideration the aforestated facts, the gravity of the offence and serious allegations, against the Applicant, this Court is of the considered view that, the Applicant does not deserve to be protected by pre-arrest bail.

The Application is accordingly rejected.

(A.S. Gadkari, J.)