

THE HON'BLE SRI JUSTICE T. SUNIL CHOWDARY

CRIMINAL PETITION No.5503 of 2018

ORDER:

This petition is filed by the petitioner–accused No.1, under Sections 437 and 439 Cr.P.C., seeking bail in Crime No.257 of 2018 on the file of the Station House Officer, Penamaluru Police Station, Krishna District, for the offences punishable under Sections 370(2), 370(a)(ii) of IPC and Sections 3, 4 and 5 of Immoral Traffic (Prevention) Act, 1956.

2. The case of the prosecution is that on 17.4.2018, at about 19.00 hours, on receiving reliable information, the SHO, Penamaluru P.S., along with staff raided house bearing door No.20-302/2, 3rd lane, Gowri Shankar Nagar, Kanuru, Penamaluru Mandal, Krishna District. During the course of raid, they found one male and three female persons in the house. The further case of the prosecution is that the petitioner was using the said house for the purpose of prostitution.

3. The learned counsel for the petitioner submitted that the petitioner was falsely implicated in this case. He further submitted that the investigation, in this case, is completed; therefore, it is a fit case to grant bail to the petitioner. *Per contra*, the learned Public Prosecutor representing the State submitted that the investigation is in progress and, if the petitioner is released on bail, there is every chance of tampering with the prosecution witnesses.

4. A perusal of the record reveals that the petitioner was arrested on 17.4.2018 and remanded to judicial custody. The petitioner filed Crl.M.P.No.783 of 2018 on the file of the Mahila Court, Vijayawada and the same was dismissed on 27.4.2018 on the ground that the investigation is in progress. The record further reveals that the

investigation is still in progress. As submitted by the learned Public Prosecutor, if the petitioner/accused is released on bail at this stage, the possibility of tampering with the prosecution witnesses cannot be ruled out completely.

5. Taking into consideration the gravity of the offence alleged to have been committed by the petitioner, and in view of the pendency of investigation, this Court is of the considered view that it is not a fit case to grant bail to the petitioner.

6. The Criminal Petition is, accordingly, dismissed.

May 17, 2018
usd

T.SUNIL CHOWDARY, J

