IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

MONDAY, THE SEVENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY

:PRESENT:
THE HON'BLE SRI JUSTICE K.LAKSHMAN

CRIMINAL PETITION NO: 6192 OF 2020

Between:
Shaik Masthan @ Harsha, S/o. Shaik Kalesha

Petitioner/Accused No.5

AND

The State of Telangana, through SHO, Miyapur Police Station, Ranga Reddy District, Rep. by its Addl. Public Prosecutor, High Court of Judicature at Hyderabad for the State of Telangana, Hyderabad.

Respondent/Complainant

Petition under Sections 437 & 439 of Cr.P.C, praying that in the circumstances stated in the petition filed therein, the High Court may be pleased to enlarge the petitioner on bail, pending investigation, enquiry and trial into Crime in FIR No 909/2020 of Miyapur Police Station, R.R. District;

The petition coming on for hearing, upon perusing the Petition and the grounds filed therein and upon hearing the arguments of Sri H.B. Ramcharanlal, Advocate for the Petitioner, and of the Asst. Public Prosecutor, for the Respondent, the Court made the following.

THE HONOURABLE SRI JUSTICE K. LAKSHMAN

CRIMINAL PETITION No.6192 OF 2020

ORDER:

This petition is filed seeking to grant regular bail under Sections 437 & 439 of the Code of Criminal Procedure, 1973 (Cr.P.C.). The Petitioner is Accused No.5 in Crime No.909 of 2020 pending on the file of the Station House Officer, Miyapur Police Station, Cyberabad. The offences alleged against the petitioner are under Sections 363,366-A, 370 and 370(A) IPC, Sections 3, 4 and 6 of the Immoral Traffic (Prevention) Act, 1956, Section 14, 14 (A) (b) read with 14(C) of the Foreigners Act, 1946 and Sections 5 and 6 read with 17 of Protection of Children from Sexual Offences Act, 2012 (for short 'POCSO Act').

2. Heard Sri H.B.Ramcharan Lal, learned counsel for the petitioner and learned Asst. Public Prosecutor for the respondent.

3. On perusal of the remand report would reveal that the petitioner herein is owner of the hotel by name SV Calapyso Luxury rooms (OYO), Old Hafeezpet, Miyapur, and that he has arranged rooms to the other accused for committing offences. The allegation against the other accused is that they have kidnapped a minor girl from Bangladesh for prostitution in the hotel belongs to the petitioner herein. The learned counsel for the petitioner would submit that the petitioner is not aware of the said kidnap of the minor girl/victim by the A.1 to A.4 and as a part of business, he has given them a room to them. Learned counsel for the petitioner would submit that the Police

have already completed investigation by recording the statements of material witnesses.

4. On instructions, learned Public Prosecutor would submit that the Police have already arrested the A.1 and A.2 to A.4 are absconding. He would further submit that the Police have recorded the statements of six witnesses including the material witnesses. This Court has granted regular bail to A.6 to A.9. The petitioner was arrested on 17.09.2020.

5. Considering the said facts, this Court is inclined to grant bail to the petitioner/A.5.

6. Accordingly, the present Criminal Petition is allowed granting bail to the petitioner with the following conditions:

i) The petitioner – A.5 shall furnish a personal bond for an amount of Rs.10,000/- (Rupees ten thousand only) with two (02) sureties for like sum each to the satisfaction of the Metropolitan Sessions Judge, Cyberabad at L.B.Nagar.

ii) The petitioner – A.5 shall appear before the Station House Officer, Miyapur Police Station, Cyberabad, everyday between 10.00 a.m. and 05.00 p.m. till completion of investigation and filing of final report.

iii) The petitioner shall co-operate with the Investigating Officer.

As a sequel, miscellaneous petitions, if any pending, shall stand closed.

Sd/- K SHYLESHI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Metropolitan Sessions Judge, Cyberabad, Ranga Reddy District, at L.B. Nagar.
2. The Principal Junior Civil Judge, cum VIII Addl. Metropolitan Magistrate, Kukatpally, at Prashanth Nagar, Cyberabad.
3. The Station House Officer, Miyapur Police Station, Cyberabad.
4. The Superintendent, Central Jail, Cherlapally, Ranga Reddy District.
5. Two CCs to Public Prosecutor, High Court of Telangana, at Hyderabad (OUT)
6. one CC to Sri H.B. Ramcharan Lal, Advocate (OPUC)
7. one Spare Copy

HIGH COURT

KL,J

DATE: 7-12-2020

ORDER

CRL.P. NO. 6192 OF 2020



BAIL