

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

BAIL APPLICATION NO.844 OF 2020

V. Tangvel Vairan @ Raju

.. Applicant

Vs.

The State Of Maharashtra

.. Respondent

Mr.R. D. Suryawanshi, Advocate for Applicant.

Mr. A. R. Kapadnis, A.P.P. for the State-Respondent.

CORAM : PRAKASH D. NAIK, J.

DATE : 16th JUNE, 2021

PC.

1. This is an application for bail in C.R. No. I-450 of 2019 registered with Manpada Police Station for the offence punishable under Sections 3, 4 and 5 of the Prevention of Immoral Trafficking Act.

2. The case of the prosecution is that on receipt of the information that prostitution activities will be conducted at Dream Night Lodge, Dombivali (E), the police decided to raid the premises. Bogus customer was arranged. After conducting raid three victims have been allegedly rescued. They were aged about 26 years, 30 years and 33 years. Three customers were found in the company of the victim women.

3. After the arrest of the applicant, statement of witnesses were recorded. On completing investigation, charge-sheet was

filed. Bail application preferred by the applicant was rejected by the Sessions Court by order dated 23.07.2019.

4. Learned counsel for the applicant submitted that the applicant is in custody for a period of two years. No specific role has been attributed to the applicant. The victims were major. There is no evidence of exploitation to attract Section 370 of Indian Penal Code. The applicant was involved in similar case in the past and he was granted bail by the Sessions Court. The prosecution has recorded statements of three women who were rescued from the lodge. Out of them two ladies cannot be said to be victims. They have not alleged that they were forced to do prostitution.

5. Learned App submitted that the applicant is the owner of the lodge. He is conducting the activities as mentioned in the leave and license agreement executed for the said premises. He was also acted as manager in the lodge.

6. The applicant is in jail for a period about two years. All the victims were major. Statement of the first victim indicates that she was called by person named Raju. The FIR indicates that one Rajesh Yadav who was present at the premises and manage to run away. This victim has not stated that she was exploited in any manner. Other victim was allegedly visited the lodge with friend and the third victim had also visited the lodge. She had received the amount from the manager. Considering the factual

aspects further detention of the applicant is not necessary. Bail can be granted to the applicant on certain terms and conditions.

:: O R D E R ::

- (i) Bail Application No.844 of 2020, is allowed;
- (ii) The applicant is directed to be released on bail in connection with C.R. No. I-450 of 2019, registered with Manpada Police Station, Dombivali on furnishing P.R. Bond in the sum of Rs.25,000/-, with one or more sureties in the like amount;
- (iii) The applicant shall report the Rural Police Station, Dombivali, once in a month on first Saturday of the month between 11:00 a.m. to 1:00 p.m. for a period of six weeks and thereafter once in three months on every first Saturday between 11.00 am to 01.00 pm till further orders;
- (iv) The applicant is permitted to furnish provisional cash bail in the sum of Rs.25,000/- for a period of 8 weeks in lieu of sureties;
- (v) Bail Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)