

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

FRIDAY, THE THIRTIETH DAY OF APRIL
TWO THOUSAND AND TWENTY ONE

:PRESENT:
THE HON'BLE JUSTICE G.SRI DEVI

CRIMINAL PETITION NO: 3333 OF 2021

Between:

Muthakani Pushpavathi @ Pushpa, W/o. Late Nageshwar Rao,

Petitioner/Accused No.1

AND

The State of Telangana, Rep. by its Public Prosecutor, High Court Buildings, Hyderabad,
(Through SHO Saroornagar PS)

Respondent

Petition under Sections 437 & 439 of Cr.P.C, praying that in the circumstances stated in the petition and the grounds filed therein, the High Court may be pleased to enlarge the Petitioner/A1 on bail in Crime No. 95 of 2021 of Saroornagar Police Station, Rachakonda Commissionerate, Ranga Reddy District, registered for the offence alleged Punishable Under Section 370(A)(2) 3 ,4 and 5 PIT Act;

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

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.3333 of 2021

ORDER:

This Criminal Petition, under Sections 437 and 439 of the Code of Criminal Procedure, 1973, is filed by the petitioner/A1 seeking to grant bail to her in connection with Cr.No.95 of 2021 on the file of Saroomagar Police Station, Rachakonda District, registered for the offences punishable under Section 370(A)(2) IPC and under Sections 3,4, and 5 of Immoral Traffic (Prevention) Act, 1956.

2. Heard learned counsel appearing for the petitioner/A1, learned Assistant Public Prosecutor appearing for the respondent-State and perused the record.

3. Learned counsel for the petitioner/A1 submits that the petitioner is innocent of the alleged offences and she has nothing to do with the allegations made in the complaint and she has been falsely implicated in the crime in order to harass her. He further submits that without conducting proper investigation or enquiry, a false case has been foisted against the petitioner for statistical purpose without any iota of truth. He further submits that the petitioner never involved in such illegal business of prostitution by engaging women at no point of time. He further submits that the entire investigation is completed, except filing of the charge sheet and that as A2 has already been released on bail, her application for bail may be considered on the ground of parity. He also submits that there are no criminal antecedents against the petitioner prior to this occurrence and she is a law abiding citizen and ready to abide by any condition imposed by this Court in the event of her enlargement on bail.

4. Learned Assistant Public Prosecutor vehemently opposed to grant bail to the petitioner. However, he submits that the petitioner is running a brothel house by engaging some other persons.

5. Having regard to the facts and circumstances and in view of the nature of allegations leveled against the petitioner and as the petitioner is in jail since 22.02.2021 and as A2 has already been released on bail, on the ground of parity and also in view of the peculiar conditions of pandemic COVID-19 prevailing in the country, without delving into the merits of the matter, I am inclined to grant bail to the petitioner/1.

6. The Criminal Petition is allowed and the petitioner/A1 is directed to be released on bail, subject to the following terms and conditions:

- (i) The petitioner/A1 shall be released on bail on her executing a personal bond to the tune of Rs.1,00,000/- (Rupees one lakh only) with two sureties for a like sum each to the satisfaction of the VI Additional Metropolitan Magistrate, L.B.Nagar, Ranga Reddy District.
- (ii) On such release, the petitioner/A1 shall appear before the Investigating Officer on 3rd Saturday of every month between 10.00 AM and 2.00 PM., from June, 2021 onwards, till completion of investigation and filing of the charge sheet.
- (iii) the petitioner/A1 shall appear before the Court concerned personally on each date of hearing till conclusion of trial.
- (iv) the petitioner/A1 shall not indulge in any similar type of activities in future. If she is indulged in similar type of activities or involved in any other criminal cases in future, liberty granted to her shall stand cancelled automatically.
- (v) the petitioner/A1 shall not tamper with the prosecution witnesses;
- (vi) the petitioner/A1 shall co-operate with the investigating agency.
- (vii) the petitioner/A1 shall not misuse the liberty granted to her.

7. Miscellaneous petitions, if any pending in this criminal petition, shall stand closed.

//TRUE COPY//

SD/- V.SUDHA
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The XIV Additional Metropolitan Sessions Judge, Ranga Reddy District, L.B. Nagar.
2. The VI Additional Metropolitan Magistrate, L.B. Nagar, Ranga Reddy District.
3. The Superintendent, Chenchalguda Women Jail, Hyderabad.
4. The Station House Officer, Saroornagar Police Station, Rachakonda Commissionerate
5. Two CCs to Public Prosecutor, High Court of Telangana, at Hyderabad (OUT)
6. one CC to Sri M.Durgaiah, Advocate (OPUC)
7. One Spare copy

HIGH COURT

GSD,J

DATE: 30-04-2021

ORDER

CRL.P. NO. 3333 OF 2021

BAIL

