

THE HONOURABLE SRI JUSTICE N. TUKARAMJI
CRIMINAL PETITION No.10856 OF 2022

ORDER:

This petition, under Section 482 of the Code of Criminal Procedure (for short '*the Cr.P.C*'), has been filed by the petitioner/1st accused with a prayer to quash the charge sheet in S.C.No.499 of 2022 on the file of the Senior Civil Judge-Cum-Assistant Sessions Judge, Ranga Reddy District at Kukatpally, for the offences punishable under Section 370-(A)(2) of the Indian Penal Code, 1860 (*for short 'the IPC'*), and Section 3, 4, 5, 6 and 7 of the Immoral Traffic (Prevention) Act, (*for short 'the Act'*), 1956.

2. Learned counsel for the petitioner would submit that he is innocent and false case is foisted against him, even the statements of the victims recorded by the investigating agency is indubitably not disclosing any aspect charged against him, thus, continuance of proceedings would amount to abuse of process. Thus, prayed for quashment of proceedings against the petitioner.

3. Learned Assistant Public Prosecutor submits that the petitioner is prime accused, who is organizing the brothel house under name of Spa. The investigation has revealed incriminating case against him and on filing charge sheet and on committal the Sessions Court had taken

cognizance and numbered the case and even framed the charges. Thus, the petition has no merit and liable to be dismissed.

4. Perused the material and the submissions are duly considered. The petitioner is the 1st accused and there are specific averments against the petitioner in the statements recorded by the police and the charge sheet. Further, the learned Sessions Court had taken cognizance and proceeding with the trial. In addition, the uncontroverted accusations are making at *prima-facie* case for investigation and trial. That apart, the truthfulness of the prosecution case or the defence cannot be determined in a petition for quashment and it would be premature.

5. In this position, I do not see any reason to interfere with the proceedings much less to quash the crime proceedings against the petitioner, as prayed for. Resultantly, this petition fails on merit.

6. In the result, this petition is dismissed.

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

N. TUKARAMJI, J

Date: 07.12.2022

Plp

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