

HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.2813 of 2023

ORDER:

Heard Sri Nouman, learned counsel, who argued on behalf of Sri M.A.Mujeeb, learned counsel on record for the petitioner, as well as the learned Additional Public Prosecutor who is representing the respondent-State.

2. Seeking post-arrest bail, the present Criminal Petition is filed under Section 439 Cr.P.C. on behalf of the petitioner, who is arrayed as accused No.4 in Crime No.213 of 2023 of Gachibowli Police Station, Cyberabad.

3. Making his submission, learned counsel for the petitioner contends that the petitioner is a Receptionist by profession and she was working for her livelihood under accused Nos.1 and 2 and she has not committed any offence whatsoever. Learned counsel states that the petitioner was arrested and remanded to judicial custody on 17.02.2023 and she is in judicial custody since then and as the entire investigation is completed, she may be enlarged on bail.

4. On the other hand, the submission of the learned Additional Public Prosecutor is that the petitioner, as a

Receptionist under accused Nos.1 and 2, participated in the business of running a brother house and therefore, she was arrested. Learned Additional Public Prosecutor also states that eleven (11) witnesses were examined till now.

5. As per the contents of Part-I Case Diary, accused Nos.1 and 2 employed accused No.3 and the petitioner as Receptionist-cum-Spa Managers and accused No.3 and the petitioner used to send sex workers to the customers and earn money.

6. As per the submission of the learned Additional Public Prosecutor, the material part of investigation is completed.

7. Thus, having considered the allegations levelled and the fact of completion of the material part of investigation, this Court is of the view that the request of the petitioner can be honoured, however conditionally.

8. Resultantly, this Criminal Petition is allowed with the following conditions:-

- (i) The petitioner/accused No.4 shall be enlarged on bail on her executing a personal bond for Rs.50,000/- (Rupees Fifty thousand only) with two sureties for the like sum each to the satisfaction of the Court concerned. The sureties

are directed to submit their two latest passport size photographs at the time of furnishing solvency. One such photograph is ordered to be pasted in the Surety Register against the name of the surety. The other photograph shall be kept in the case record concerned.

(ii) In case, the petitioner/accused No.4 holds a passport, she is directed to surrender the same, if it is not seized by now.

(iii) The petitioner/accused No.4 should not involve in any unlawful activity.

(iv) The petitioner/accused No.4 should afford all assistance for proper investigation of the case.

(v) The petitioner/accused No.4 should not cause the evidence of the offence disappear.

(vi) The petitioner/accused No.4 should not tamper with the evidence in any manner.

(vii) The petitioner/accused No.4 should not by way of inducement, threat or promise, dissuade any person who is acquainted with the facts of the case, from disclosing such facts to the Court or to the Police Officer.

(viii) The petitioner/accused No.4 should ensure her presence whenever required by the Court or Police.

(ix) The petitioner/accused No.4 shall not leave India without previous permission of the court concerned.

(x) The petitioner/accused No.4 shall file an affidavit before the court concerned disclosing the following particulars:-

- (1) Contact number
- (2) Mail address
- (3) Residential particulars.

In case, there is any change in the aforementioned details, the petitioner shall intimate the court concerned by giving a fresh affidavit duly mentioning the change. She shall continue to do so till filing of the final report.

Any deviation of the above conditions would entitle the respondent to take appropriate steps for cancellation of the bail granted.

Dr. JUSTICE CHILLAKUR SUMALATHA

24.3.2023
dr

