

HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.3041 of 2023

AND

CRIMINAL PETITION No.3042 of 2023

COMMON ORDER:

1. Heard Sri D.Raghavulu, learned counsel for the petitioners in Criminal Petition No.3041 of 2023. Heard Sri K.Venkata Vara Prasad, learned counsel who is appearing for petitioner in Criminal Petition No.3042 of 2023. Also heard the learned Additional Public Prosecutor who is representing the Respondent-State.

2. Seeking the Court to enlarge the petitioners, who are arrayed as Accused Nos.1, 2 & 4 in Crime No.212 of 2023 of Gachibowli Police Station, on bail, the present Criminal Petitions are filed under Section 439 Cr.P.C.

3. The common submission made by both the learned counsel appearing for the petitioners is that the petitioners were arrested on 17.02.2023 and they are in judicial custody since more than forty five (45) days. Both the learned counsel also submit that the petitioners have not committed any offences whatsoever.

4. The submission of the learned Additional Public Prosecutor, on the other hand, is that Accused Nos.1 & 2 were running a brothel house under the guise of a Spa Centre and Accused No.4 was supplying the customers. Learned Additional Public Prosecutor also states that the case is under investigation and eleven (11) witnesses were examined till now.

5. As per the version of the prosecution, police raided the 'Rest Beauty Spa Centre' and found that a brothel business is being carried out at the said centre and therefore arrested the alleged organizers, including the petitioners herein.

6. By the submission of the learned Additional Public Prosecutor, it is clear that the material part of investigation is completed. Also, as per the version of the prosecution, the petitioners are in judicial custody since 17.02.2023.

7. Having considered all these aspects, this Court is of the view that the request of the petitioners can be honoured, however, conditionally.

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

- (i) The petitioners/Accused Nos.1, 2 & 4 shall be enlarged on bail on their executing a personal bond for Rs.50,000/- (Rupees Fifty Thousand only) each with two sureties for 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) The petitioners/Accused Nos.1, 2 & 4 shall report before the Station House Officer, Gachibowli Police Station, on every Sunday and Thursday between 10.30 A.M and 12.00 P.M till filing of final report.
- (iii) The petitioners/Accused Nos.1, 2 & 4 should not involve in any unlawful activity.
- (iv) The petitioners/Accused Nos.1, 2 & 4 afford all assistance for the proper investigation of the case.
- (v) The petitioners/Accused Nos.1, 2 & 4 should not cause the evidence of the offence disappear.
- (vi) The petitioners/Accused Nos.1, 2 & 4 should not tamper with the evidence in any manner.

- (vii) The petitioners/Accused Nos.1, 2 & 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) In case the petitioners/Accused Nos.1, 2 & 4 hold a passport, they shall surrender the same if the same is not seized till now.
- (ix) The petitioners/Accused Nos.1, 2 & 4 should ensure their presence whenever required by the Court or Police.
- (x) The petitioners/Accused Nos.1, 2 & 4 shall not leave India without previous permission of the Court concerned.
- (xi) The petitioners/Accused Nos.1, 2 & 4 shall file affidavits 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 petitioners shall intimate the Court concerned by giving fresh affidavits duly mentioning the change. They 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

Date:31.03.2023
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