

HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.3325 of 2023

ORDER:

Heard Ms. Suchitra, learned counsel, who argued on behalf of Sri Nageswar Rao Pujari, learned counsel on record for the petitioner, as well as the learned Additional Public Prosecutor who is representing the respondent-State.

2. Seeking bail, the present Criminal Petition is filed, on behalf of the petitioner, under Section 439 Cr.P.C. The petitioner is arrayed as accused No.1 in Crime No.225 of 2023 of Miyapur Police Station.

3. The facts of the case in nut-shell, as per the material available on record, are that the petitioner was found organizing prostitution by procuring innocent women under the guise of running a massage centre by name A-1 Beauty Spa.

4. Stating that the petitioner is innocent, learned counsel for the petitioner submits that the petitioner was arrested on 23.02.2023 and he is in judicial custody since 50 days and as the entire investigation is completed, he may be enlarged on bail.

5. The submission of the learned Additional Public Prosecutor, on the other hand, is that the petitioner, by securing innocent women, was found organizing prostitution under the guise of running a Spa centre and police who received information to that effect, raided the brothel house and arrested the petitioner. Learned Assistant Public Prosecutor also states that 24 witnesses were examined till now.

6. Gone through the material available on record. It is not in dispute that the petitioner is in judicial custody since 50 days. Also, by the submission of the learned Additional Public Prosecutor, it is clear that the material part of investigating is completed. Having considered these aspects, this Court is of the view that the request of the petitioner can be honoured, however conditionally.

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

- (i) The petitioner/accused No.1 shall be enlarged on bail on his executing a personal bond for Rs.1,00,000/- (Rupees One lakh 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.1 holds a passport, he is directed to surrender the same, if it is not seized by now.

(iii) The petitioner/accused No.1 should not involve in any unlawful activity.

(iv) The petitioner/accused No.1 should afford all assistance for proper investigation of the case.

(v) The petitioner/accused No.1 should not cause the evidence of the offence disappear.

(vi) The petitioner/accused No.1 should not tamper with the evidence in any manner.

(vii) The petitioner/accused No.1 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.1 should ensure his presence whenever required by the Court or Police.

(ix) The petitioner/accused No.1 shall not leave India without previous permission of the court concerned.

(x) The petitioner/accused No.1 shall report before the Station House Officer, Miyapur Police Station, on every Sunday and Thursday between 10.30 a.m. and 12.00 p.m. till filing of the final report.

(xi) The petitioner/accused No.1 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. He 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

12.4.2023
dr