

THE HONOURABLE SRI JUSTICE M.LAXMAN

CRIMINAL PETITION No.4695 OF 2023

O R D E R:

1. This Criminal Petition is filed by the petitioner/Accused No.2 under Section 438 of the Criminal Procedure Code seeking anticipatory bail in Crime No.245 of 2023 of Kukatpally Police Station, Cyberabad, which was registered for the offences punishable under Section 370 (A) (2) of I.P.C. and Section 3, 4 and 5 of the Immoral Traffic (Prevention) Act, 1956.

2. The case of the prosecution is that accused No.1 was running brothel house and accused No.2 facilitated the accused No.1 to get the customers and on raid the police found that accused No.1 is running brothel house with the victim girls, who were trafficked and charge sheet was filed against the other accused and accused Nos.1 and 2 were absconding.

3. The contention of the learned counsel for the petitioner is that except allegation of facilitating accused No.1 to get the

customers, there are no such serious allegations against the petitioner and it is accused No.1, who was running the brothel house. It is also contended that all the offences registered against the petitioner are punishable below seven years and the custodial interrogation of the petitioner is not required as the charge sheet was already filed.

4. Learned Public Prosecutor opposed the bail application.

5. As seen from the alleged offences, the only serious offence is under Section 370 (A) of I.P.C. which is punishable upto five years with a minimum punishment of three years. The other offences under Special Act i.e., Immoral Traffic (Prevention) Act, 1956 are lesser than the said offence. Considering the above facts and circumstances and as no custodial interrogation is required, this Court is inclined to grant anticipatory bail to the petitioner/accused No.2 on certain conditions.

6. Accordingly, the Criminal Petition is allowed and the petitioner/Accused No.2 is granted anticipatory bail subject to the following conditions:

(i) The petitioner/accused No.2 is directed to surrender before the Station House Officer, Kukatpally Police Station, Cyberabad District and on such surrender, he is ordered to be released on bail on his executing a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of Station House Officer, Kukatpally Police Station, Cyberabad.

(ii) The petitioner/accused No.2 shall appear before the concerned S.H.O. on every Monday and Saturday in between 8.00 a.m., to 8.00 p.m., for a period of three months or till filing of the charge sheet, whichever is earlier.

(iii) The petitioner/accused No.2 shall make available for the police as and when his presence is required for the purpose of investigation.

(iv) The petitioner/Accused No.2 further directed to cooperate with the Investigating Agency.

(v) The petitioner/accused No.2 shall abide by the other conditions stipulated in Section 438 of the Criminal Procedure Code.

M. LAXMAN, J

25.05.2023
TMK/GSD

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Date: 25.05.2023

TMK/GSD