

THE HONOURABLE SRI JUSTICE M. LAXMAN

CRIMINAL PETITION No.6486 OF 2023

ORDER:

1. This petition is filed under Sections 437 and 439 of Criminal Procedure Code, 1973 (Cr.P.C) seeking to grant regular bail to the petitioner, who is arrayed as accused No.2 in Crime No.460 of 2023 of Panjagutta Police Station, Hyderabad. The offences alleged against the petitioner are under Sections 370, 370(A) read with Section 109 of the Indian Penal Code and Sections 3, 4, 5, 7 (1) of the Prevention of Immoral trafficking Act, 1956.

2. The facts disclose that the present petitioner is the Manager of Katriya Hotel, Raj Bhavan Road, Somajiguda, Hyderabad. Accused No.1 was running the brothel by procuring the customers on online by displaying the images of girls workers and taking them to the Katriya Hotel, which was managed by the present petitioner. For every customer, the present petitioner was collecting Rs.1000/- and the remaining amount was collected by the girl who was already stayed in the

hotel room. In the decoy operation, the entire operation was detected.

3. The contention of the learned counsel for the petitioner - accused No.2 is that the petitioner is innocent of the allegation and he has not involved in running the prostitution. He further contented that it is the accused No.1 who was running the prostitution without conscious knowledge to the petitioner.

4. Learned Additional Public Prosecutor for the respondent - State opposed the bail application.

5. On perusal of the record, the investigation reveals that it is the accused No.1 who was organizing the brothel by securing the girls from various places. The allegation is that the present petitioner was the manager of the hotel and he assisted accused No.1 in booking rooms with the conscious knowledge about usage of the room for prostitution. Further, the allegation is that accused No.1 used to pay Rs.1,000/- for each customer to the present petitioner. The decoy operation discloses the said acts of prostitution. Except the self confession of accused No.2, there is no material that accused No.1 paid amounts to

petitioner - accused No.2. When the decoy operation was conducted, the petitioner was not on duty.

6. Considering the above facts, this Court is inclined to grant regular bail to the petitioner - accused No.2.

7. Accordingly, the Criminal Petition is allowed and the petitioner-accused No.2 shall be released on bail on the following terms and conditions:

- (i) The petitioner-accused No.2 shall be released on bail on his executing a personal bond for Rs.25,000/- (Rupees twenty five thousand only) with two sureties for a like sum each to the satisfaction of Metropolitan Sessions Judge, Hyderabad.
- (ii) The petitioner-accused No.2 shall appear before the Station House Officer, Panjagutta Police Station, Hyderabad on every Sunday between 10.00 am and 05.00 pm, for a period of three (03) months.
- (iii) The petitioner-accused No.2 shall not directly or indirectly influence or make any witnesses or complainant.

- (iv) The petitioner-accused No.2 shall make available with the investigating agency for proper investigation and he shall fully cooperate with the investigation agency. He shall not in any manner which will be prejudicial to fair and expeditious investigation.

JUSTICE M. LAXMAN

Date: 25.07.2023
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