

THE HONOURABLE DR.JUSTICE G.RADHA RANI

CRIMINAL PETITION No.4250 OF 2024

ORDER:

This Criminal Petition is filed by the petitioners – Accused Nos.1 to 3 under Sections 437 and 439 of Code of Criminal Procedure, 1973 (for short “Cr.P.C”), for grant of regular bail in Crime No.95 of 2024 on the file of Sangareddy Town Police Station, Sangareddy District registered for the offences punishable under Sections 370(A)(2) of Indian Penal Code, 1860 (for short, ‘IPC’) and Sections 3,4 and 5 of the Immoral Traffic (Prevention) Act, 1956 (for short, ‘PIT Act’).

2. The case of the prosecution, in brief was that on 27.03.2023 at 10:30 hours, the Sub-Inspector of Police of Sanga Reddy Town, received credible information that the Owner and Manager of Sri Sai Baba Lodge at New Bus Stand, Sanga Reddy was running prostitution in their lodge by procuring sex workers. He along with his staff and panch witnesses raided the said lodge and took the lodge Manager, Patthipuram Lingam into custody. The Manager admitted that prostitution was going on in their lodge with

the permission of lodge owner Kodide Sandeep Babu. As led by him, they proceeded to room Nos.107, 108 and 109 and apprehended three sex workers and two customers and brought all of them to Police Station and registered the above case. On the same day at 19:00 hours, the lodge owner arrayed as accused No.1 and accused No.3 surrendered before the police and admitted their guilt. Accused No.1 stated that he was using the services of accused No.3 as broker and he was arranging the customers.

3. Heard the learned counsel for the petitioners-accused Nos.1 to 3 and the learned Additional Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioners-accused Nos.1 to 3 submitted that the accused No.1 was the owner of the lodge. There were no questionable antecedents against him. The accused No.2 was the Manager of the lodge. He was merely an employee of accused No.1. He was working for accused No.1. He was not aware of any such alleged incidents occurring in the lodge. As a Manager, he only allowed customers to occupy the rooms and never allowed any sex workers as alleged in the FIR. The accused No.3 was a bike

mechanic, who was doing menial jobs at the lodge such as electrical works, plumbing etc. He had nothing to do with the present case. His name also did not appear anywhere in the FIR and prayed for grant of bail to the petitioners.

5. Learned Additional Public Prosecutor opposed grant of bail to the petitioners stating that accused No.1 knowingly allowed prostitution to be carried on in his lodge and allowed accused Nos.2 and 3 for engaging sex workers to the customers coming to his lodge.

6. Perused the record.

7. Considering that the name of accused No.1 was implicated basing upon the confession of accused No.2 and the name of accused No.3 was implicated basing upon the confession of accused No.1 and the truth or otherwise of the allegations can be decided only after full fledged trial and the petitioners shall be presumed to be innocent till their guilt is proved and as the petitioners were in custody since 27.03.2024, it is considered fit to enlarge the petitioners on bail.

8. Accordingly, the Criminal Petition is allowed directing the petitioners/accused Nos.1 to 3 to be released on regular bail subject to the following conditions:

i) The petitioners/Accused Nos.1 to 3 shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) each with two sureties for a like sum each to the satisfaction of the learned Additional Judicial First Class Magistrate at Sangareddy.

ii) The petitioners/Accused Nos.1 to 3 shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.

Miscellaneous applications, pending if any, shall stand closed.

Date:25th April, 2024
dgr

Dr. G.RADHA RANI, J