

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.3144 of 2025

ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused No.3 in FIR.No.36 of 2025 before the Kodad Town Police Station, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on January 27, 2025, Sub-Inspector of Police, Sri Sk. Saidulu, reported a case of prostitution at a house in Uttampadmavathi Colony, Kodad Town, based on credible information, and he, along with other police personnel, raided the house, apprehended the accused, and seized evidence, including mobile phones, a car, and cash. The accused include Nagilla Kumari, the alleged organizer of the brothel house, Shaik Sony, the victim, and Kadaboina Naveen and petitioner/Ambala Rambabu, the alleged pimps. Being aggrieved by implication in the said case, this criminal petition is filed by the petitioner.

3. Heard Sri Vijay Shankar, learned counsel appearing on behalf the petitioner as well as Sri Syed Yasar Mamoon,

learned Additional Public Prosecutor appearing on behalf of the respondent.

4. Learned counsel for the petitioner submitted that the petitioner was falsely implicated in the crime and, even if the allegations are presumed true, the role of petitioner was merely that of a customer, attracting only Section 144(2) BNS (earlier 370(A) IPC), not Sections 3, 4, and 5 of the Prevention of Immoral Trafficking Act, 1956, as erroneously invoked by the investigating officer. He placed reliance on the decisions rendered by this Court in Crl.P.No.9087 of 2022 and Crl.P.No.9565 of 2022, wherein, it was held that Sections 3 to 5 of the Prevention of Immoral Traffic Act do not apply to customers. He averred that petitioner is innocent, a law-abiding citizen with no criminal antecedents, and was falsely implicated. Therefore, while advocating that the petitioner is willing to cooperate with the investigation, furnish security and sureties, and abide by any conditions imposed by the Court, he prayed the Court to grant bail to the petitioner by allowing this Criminal Petition.

5. On the other hand, learned Additional Public Prosecutor appearing on behalf of the respondent vehemently opposed to

the submissions made by learned counsel for petitioner, contending that the allegations leveled against the petitioner are of serious nature, which would raise concerns over his involvement in illegal brothel business at a house in Uttampadmavathi Colony, Kodad Town. Therefore, while advocating that the investigation in the case is pending, and releasing of petitioner on bail at this stage would cause compromising investigation process as he may tamper evidence, he prayed the Court to dismiss the criminal petition.

6. In light of the submissions made by both the learned counsel and upon a perusal of the material available on record, it appears that the petitioner has been in jail since January 27, 2025. Further, as seen from the record, substantial part of the investigation is completed. Considering the facts and circumstances of the case, as well as the petitioner's incarceration, this Court deems it fit to grant bail to the petitioner subject to the following conditions:

- i. The petitioner shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only), with two sureties for a like sum each

to the satisfaction of the Principal
Judicial Magistrate of First Class,
Kodad.

- ii. The petitioner shall appear before the
concerned SHO at 11:00 a.m., on
every Monday for a period of eight (8)
week or till filing of charge sheet
whichever is earlier, for the purpose of
investigation, and thereafter, as and
when required.
- iii. The petitioner shall abide by the
conditions stipulated in Section 437(3)
of Cr.P.C. (presently, Section 480(3) of
the BNSS).

7. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand
closed.

K. SUJANA, J

Date: 06.03.2025
SAI

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