

THE HON'BLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.3702 of 2025

ORDER:

This criminal petition is filed by the petitioner/A2 under Sections 480 and 483 of Bharatiya Nagrik Suraksha Sanhita (BNSS) seeking grant of regular bail in Crime No.36 of 2025 of Kodad Town Police Station, Suryapet District, registered for the offence punishable under Section 143(2) of Bharatiya Nyaya Sanhita (BNS) and Sections 3, 4 and 5 of the Prevention of Immoral Traffic Act, 1956 (for short, "the Act").

2. Heard Sri V. Vijay Shankar, learned counsel for the petitioner, and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent.

3. The case of the prosecution is that on 27.01.2025 at about 2000 hours, on receipt of credible information that prostitution was running at house bearing No.12-888/1, Uttampadmavathi Colony, Kodad Town, respondent No.2 - Sub-Inspector of Police, Kodad Town Police Station along with his staff rushed to the said house and apprehended one Nagilla Kumari, who is the organizer of the said brothel house, Shaik Sony, who is the

victim, the petitioner herein and Ambala Rambabu, who are pimps, and after conducting confession and seizure panchanama, seized 2 mobile phones, Swift Dzire car bearing No.TS 05 EJ 9559 and net cash of Rs.800/- from Accused Nos.1 to 3 in the presence of two mediators under cover of panchanama. Basing on the said complaint, a case in Crime No.36 of 2025 was registered for the above said offences.

4. Learned counsel for the petitioner submits that the petitioner has not committed the offence and he was falsely implicated in the present crime. He further submits that the ingredients of Sections 3 to 5 of the Act are not applicable to the petitioner. The petitioner was arrested on 27.01.2025 and since then he is in judicial custody and the entire investigation was completed and charge sheet was also filed. He further submits that the petitioner is ready to cooperate with the investigation and also abide by the conditions that are going to be imposed by this Court. He further submits that this Court granted bail in favour of Accused No.3 in the very same crime on 06.03.2025 vide CrI.P.No.3144 of 2025 and therefore, the petitioner is also entitled for grant of bail.

5. Per contra, learned Additional Public Prosecutor has opposed the submissions made by the learned counsel for the petitioner and contended that the allegations leveled against the petitioner are serious in nature.

6. Having considered the rival submissions made by both the parties and after perusal of the material available on record, it reveals that the petitioner was arrested on 27.01.2025 and since then he is in judicial custody. The petitioner is a customer and, *prima facie*, the provisions of the Act do not attract against the petitioner and this Court has also granted bail in favour of Accused No.3 in the very same crime and the same is not disputed by the learned Additional Public Prosecutor.

7. Taking into consideration the facts and circumstances of the case and that the petitioner was in judicial custody since 27.01.2025, this Court is inclined to grant bail to the petitioner on the following conditions:

- (1) The petitioner/A2 is enlarged on bail on executing a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousands only) with two sureties for a like sum each to the satisfaction of the Principal Judicial Magistrate of First Class, Kodad.

(2) The petitioner/A2 shall appear before the concerned SHO at 11:00 A.M. on every Monday for a period of eight (8) weeks or till filing of charge sheet whichever is earlier, for the purpose of investigation and thereafter as and when required.

(3) The petitioner shall abide by the conditions stipulated in Section 437(3) of Cr.P.C. (presently, Section 480(3) of the BNSS).

8. Accordingly, the criminal petition is allowed.

Pending miscellaneous applications, if any, shall stand closed.

JUSTICE J.SREENIVAS RAO, J

Date: 20.03.2025
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