

THE HON'BLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.4436 of 2025

ORDER:

This criminal petition is filed by the petitioner/A2 under Sections 480 and 483 of Bharatiya Nagrik Suraksha Sanhita (BNSS) to enlarge him on bail in Crime No.270 of 2025 of Medipally Police Station, registered for the offence punishable under Sections 143, 144(2), 111 of BNS and Sections 3, 4 and 5 of the Immoral Traffic (Prevention) Act, 1956.

2. The case of the prosecution is that on 28.02.2025, on receipt of credible information that prostitution activities at Plot No.B-34, Viharika Colony, Medipally Mandal, Madchal-Malkajgiri, the de-facto complainant after obtaining permission from higher authorities raided the said premises and apprehended the petitioner and other accused. Basing on the said complaint, Crime No.270 of 2025 was registered for the above said offences.

3. Heard Sri B. Akash Kumar, learned counsel for the petitioner, and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent.

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 provisions of Sections 3, 4 and 5 of the Immoral Traffic (Prevention) Act, 1956, are not applicable to the petitioner and that the other offences leveled against the petitioner are below 7 years. He further submits that the petitioner was arrested on 28.02.2025 and since then he was in judicial custody and that he is ready and willing to cooperate with the investigation and also abide by the conditions that are going to be imposed by this Court. He further submits that material part of investigation is completed and the petitioner is not having any criminal antecedents.

5. Per contra, learned Additional Public Prosecutor submits that the petitioner has committed grave offence and that investigation is under progress. At this stage, if

the petitioner is released on bail, he will commit the very same offence. Therefore, the petitioner is not entitled for grant of bail.

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 28.02.2025 and since then he is in judicial custody and according to the learned Additional Public Prosecutor, material part of investigation is completed and 8 witnesses were examined and the petitioner is not having any criminal antecedents.

7. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner on the following conditions:

(1) The petitioner/A2 is enlarged on bail on executing personal bond for a sum of Rs.35,000/- (Rupees Thirty Five Thousands only) with two sureties for a like sum each to the satisfaction of the IV Additional Metropolitan Magistrate Court, Medchal Malkajgiri District at L.B. Nagar.

(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/A2 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: 04.04.2025
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