

THE HON'BLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No. 5304 of 2025

ORDER:

This Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhitha, 2023 (for short 'BNSS') seeking anticipatory bail to the petitioners/accused Nos.1 & 2 in Crime No.96 of 2025 on the file of the Police Station, S.R.Nagar registered for the offences punishable under Section 143 of BNSS & Sections 3, 4 and 5 of Prevention of Immoral Traffic Act, 1956 (for short "PITA Act").

2. The case of the prosecution is that on February 7, 2025, Sub-Inspector Ch. Sravan Kumar received information that a brother was operating at Ground Floor, LIG II 2, B.K. Guda, S.R.Nagar. He obtained a search warrant and raided the premises, finding two female sex workers and three co-organizers, Bojana Anil Chinna, Theppa Niranjanamma, and Ullendule Bangaramma. The co-organizers confessed to running the brother, charging customers Rs.1,500/- to Rs.2,000/- per hour, and using a TVS Wego to transport customers. The police seized the vehicle, mobile phones, and condoms, and arrested the co-organizers and sex workers. The complainant requested

action against the accused under the PITA Act and other relevant laws.

3. Heard Mr. M. Anivelu, learned counsel representing Mr. Venkateshwarlu Dasari, learned counsel for the petitioners/accused Nos.1 and 2 and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor for respondent -State.

4. Learned counsel for the petitioners/accused Nos.1 and 2 submitted that the petitioners have not committed the offence and they were falsely implicated in the present crime. He further submitted that the ingredients under Sections 3, 4 and 5 of PITA Act does not attract against the petitioners. He further contended that accused Nos.3 to 5 were arrested on 07.02.2025 and they were enlarged on bail. He further contended that the petitioners are not having any criminal antecedents and also contended that the petitioners are ready and willing to cooperate with the investigation and also ready to abide by the conditions, which are going to be imposed by this Court. Hence, the petitioners may be enlarged on anticipatory bail.

5. *Per contra*, learned Additional Public Prosecutor submitted that petitioners have committed grave offence. It is further submitted that investigation is under progress and if the

petitioners/accused Nos.1 and 2 granted anticipatory bail at this stage, they may tamper the evidence and may threaten the witnesses, and hence, prayed to dismiss the petition.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that accused Nos.3 to 5 were arrested on 07.02.2025 and they were enlarged on bail. According to the learned Additional Public Prosecutor 12 witnesses were already examined. Even learned counsel for the petitioner stated that the petitioners/accused Nos.1 and 2 are not having any criminal antecedents and the same was not disputed by the learned Additional Public Prosecutor.

7. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners/accused Nos.1 and 2 with the following conditions:

- (i) Petitioners/accused Nos.1 and 2 are directed to surrender before the S.H.O., Police Station, Police Station, S.R.Nagar on or before 30.04.2025 and on such surrender, they shall be enlarged on bail on executing a personal bond for a sum of Rs.30,000/- (Rupees Thirty Thousand only) each, with two sureties for a like sum to his satisfaction.

- (ii) On such release, petitioners/accused Nos.1 & 2 shall appear before the S.H.O., Police Station, S.R.Nagar on every Monday at 11-00 a.m. for a period of eight (8) weeks or till filing of the charge sheet, whichever is earlier.
- (iii) Petitioners/accused Nos.1 and 2 shall abide by the conditions stipulated under Section 482(2) of BNSS and shall cooperate with the Investigating Officer in the investigation.
- (iv) Petitioner/accused No.3 shall not interfere with the investigation or influence the witnesses.

8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

J. SREENIVAS RAO, J

Date: 23.04.2025

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