

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.6923 of 2025

ORDER:

This Criminal Petition is filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') by the petitioner, who is arrayed as accused No.5, seeking bail in Crime No.92 of 2025 of Gopalapuram Police Station, Hyderabad, registered for the offence punishable under Sections 143 and 144(2) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS'), Sections 3, 4, 5 and 7 of the Immoral Traffic (Prevention) Act, 1956 (for short 'PITA Act'), Section 12(1)(c) of the Passports Act, 1967 and Section 14A(b) of the Foreigners Act, 1946.

2. The case of the prosecution is that on 14.05.2025 at about 18:00 hours, Sri M. Venu Gopal, Sub-Inspector of Police, Gopalapuram PS, received credible information that accused Nos.1 and 5 along with others, were organizing prostitution at H. No. 9-1-101, Ground Floor, Oxford Street, Regimental Bazar, Secunderabad. Believing the information to be authentic, he informed his superior officers and obtained a search warrant from the Assistant Commissioner of Police,

Gopalapuram Division. He secured the presence of two panch witnesses and drafted search proceedings under Section 185 of the BNSS. The Sub-Inspector, along with staff and panchas, proceeded to the said premises and sent decoy PC with instructions. Upon receiving a positive signal, the team entered the premises. They apprehended accused Nos.1, 4 and 5 and two victim women. Basing on the same, a case was registered in Crime No.92 of 2025.

3. Heard Mr.Mohammed Ghouse Pasha, learned counsel for the petitioner and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for respondent-State.

4. Learned counsel for the petitioner submitted that the petitioner is innocent person and he did not commit the alleged offence and he was falsely implicated in this crime. Even according to the allegations made in the complaint, the entire allegations are levelled against the other accused and the ingredients of Section 143 of BNS are not attracted against the petitioner. He further submitted that the petitioner was arrested on 15.05.2025 and since then he is in judicial custody and the entire investigation is completed, except filing of charge sheet. He further submitted that the petitioner is eking out his livelihood by doing

private employment and entire family is depending upon his income and he is not having any other criminal antecedents. He further submitted that the petitioner is willing and ready to cooperate with the investigation and also ready to abide by the conditions, which are going to be imposed by this Court and hence, prayed for grant of bail.

5. *Per contra*, learned Additional Public Prosecutor opposed the bail petition and submitted that the petitioner has committed grave offences and the investigation is not yet completed and if the petitioner is released on bail at this stage, he may tamper with 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 the petitioner was arrested on 15.05.2025 and since then he is in judicial custody. Even according to the learned Additional Public Prosecutor, the petitioner is not having any other criminal antecedents.

7. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner/accused No.5, subject to the following conditions:

(i) The petitioner/accused No.5 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 X Additional Chief Judicial Magistrate at Secunderabad.

(ii) The petitioner/accused No.5 shall appear before the concerned SHO at 11.00 A.M. on every Monday, for a period of six (6) weeks or till filing of charge sheet whichever is earlier, for the purpose of investigation and thereafter, as and when required.

(iii) The petitioner/accused No.5 shall abide by the conditions stipulated in Section 483 (3) of BNSS.

8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

J. SREENIVAS RAO, J

Date:18.06.2025

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Dt: 18.06.2025

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