

The Hon'ble Sri Justice J.Sreenivas Rao

Criminal Petition No.7022 of 2025

Order:

This Criminal Petition is filed by the petitioners/accused No.1 & 2 seeking anticipatory bail under Section 528 of the Bharatiya Nagarik Suraksha Sanhita (for short 'BNSS'), in connection with Crime No.372 of 2025 on the file of Station House Officer, Film Nagar Police Station, Hyderabad, registered for the offences punishable under Sections 143(2), 144 (2) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Sections 3,4 and 5 of the Immoral Traffic (Prevention) Act, 1956.

2. On 06.06.2025 at 5:00 PM, Detective Inspector N. Jayaram of Filmnagar PS, Hyderabad received credible information about a brothel being operated at RK Spa and Beauty Salon, Filmnagar. Due to urgency, a raid was conducted without a warrant in the presence of mediators and police staff. Two women Moumitha Biswas and Udutha Vani were found

and admitted to be engaging in prostitution under the direction of organizer Rama Krishna and sub-organizer Juhi. Three male customers Dasari Srinivas, Guduula Suresh, and Aluboju Akash were found on the premises. Various mobile phones, condoms, and other materials were also seized. The rescued victims and accused A3 to A5 were produced before the authorities. Hence this complaint.

3. Heard Mr. N. Naveen Kumar, learned counsel for the petitioners/accused No.1 and 2 and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent/State.

4. Learned counsel for the petitioner submitted that the petitioners/accused Nos.1 and 2 have not committed any offence as alleged against them. Even according to the allegations levelled in the present case the ingredients under the provisions of PITA Act are not attracting against the petitioners/accused Nos.1 and 2. Petitioners obtaining the

necessary permissions from the competent authorities commenced the business under the name and style of RK Spa and Beauty Saloon. He further submitted that when the police officials are interfering with the activities without following any procedure, the petitioners approached this Court and filed W.P.No.20069 of 2017 questioning the proceedings issued by the 2nd respondent dated 03.06.2017 and this Court was pleased to admit the writ petition and granted interim direction and said writ petition is pending. Learned counsel further submits that the petitioner is not accused of any other crime and prays to grant anticipatory bail as they are ready and willing to cooperate with the investigation and abide by the conditions that may be imposed by this Court.

5. *Per contra*, learned Additional Public Prosecutor opposed the bail petition stating that the petitioners have committed a grave offence and the investigation is in progress and at this stage, if the petitioners are granted

anticipatory bail, they may influence the witnesses and interfere with the investigation and therefore, they are not entitled for grant of anticipatory bail.

6. Having considered the rival submissions made by learned counsel for the parties and after perusal of the material available on record, it reveals that the petitioner commenced his business under the name and style of R.K.Spa and Beauty Saloon after obtaining necessary permission from the competent authority. The record further reveals that the petitioners have approached this Court by filing writ petition No.20069 of 2017 questioning the proceedings issued by the Commissioner of Police, Hyderabad dated 30.06.2010 and this Court was pleased to grant interim direction by admitting the writ petition. The said writ petition is pending. Even according to the learned Additional Public Prosecutor petitioners are not having any criminal antecedents.

7. In view of the same, this Court is inclined to grant anticipatory bail in favor of the petitioners/accused No.1 and 2 subject to the following conditions:

(i) Petitioners/Accused No.1 and 2 are directed to surrender before the Station House Officer, Film Nagar Police Station, on or before 24.06.2025;

(ii) On such surrender, the Station House Officer, Film Nagar Police Station, shall release the petitioners/accused No.1 and 2 on bail on their executing a personal bond for a sum of Rs.50,000/- (Rupees Fifty thousand only) with two sureties for a likesum each to the satisfaction of the said Officer;

(iii) On such release, petitioners/accused No.1 and 2 shall appear before the Station House Officer, Film Nagar Police Station, on every Monday at 11:00 a.m., for a period of eight weeks for the purpose of investigation and thereafter, as and when required by the police for investigation.

(iv) Petitioners/accused No.1 and 2 shall not interfere with the investigation nor influence the witnesses.

(v) Petitioners/accused No.1 and 2 shall abide by the conditions stipulated under Section 438(2) of the Criminal Procedure Code, 1973/ Section 482 of BNSS and shall cooperate with the investigating officer for conclusion of investigation.

8. Accordingly, the Criminal Petition is allowed.

As a sequel, miscellaneous petitions, pending if any, stand closed.

Date:19.06.2025
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J.SREENIVAS RAO, J

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