

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.7316 of 2025

ORDER:

This Criminal Petition is filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) by the petitioner/accused No.1 seeking bail in Crime No.197 of 2025 of Malakpet Police Station, Hyderabad, registered for the offences punishable under Sections 143(2) and 144(2) of the Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS') and Sections 3, 4 and 5 of the Immoral Traffic (Prevention) Act, 1956 (for short 'PITA Act').

2. The case of prosecution in brief is that the petitioner, a native of Nagarkurnool, moved to Hyderabad with his family for livelihood and initially worked in a private company. Due to insufficient income to sustain his lifestyle and family expenses, he learned through a friend about the profitability of prostitution disguised as spa services. About a year ago, he started a business named R.K. Beauty and Spa. After renting a flat, the petitioner Accused No.1 allegedly operated a prostitution racket by procuring female sex workers through acquaintances and attracting customers. On 28-05-2025, at around 17:15 hours, while the petitioner was present with four female sex workers, accused No.2 arrived and expressed interest in availing sexual services. The petitioner arranged for

a sex worker, and at around 17:30 hours, the police raided the premises, apprehended the accused, and rescued the four women. Based on the complaint, the present crime was registered.

3. Heard Mr.Avinash, learned counsel representing Mr.K.Rajesh Kumar, learned counsel for the petitioner, and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the 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 ingredients of alleged offences are not attracted against the petitioner. He further submitted that the petitioner was arrested on 28.05.2025 and since then he is in judicial custody and entire investigation is completed, except filing of charge sheet. He further submitted that the accused No.2 in the said crime was already enlarged on bail. He further submitted that the petitioner is not having any other criminal antecedents and he is 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 and hence, prayed for grant of bail.

5. *Per contra*, learned Additional Public Prosecutor submitted that the petitioner has committed a grave offence by conducting illegal activities

under the guise of a spa, hence the ingredients of Sections 3, 4, and 5 of the PITA Act are attracted against the petitioner. He further submitted that the investigation is under progress, hence, the petitioner is not entitled for grant of bail.

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 28.05.2025 and since then he is in judicial custody. Even according to the learned counsel for the petitioner, accused No.2 in the said crime was already enlarged on bail. Even according to the learned Additional Public Prosecutor, 17 witnesses were already examined and 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.1, subject to the following conditions:

- (i) The petitioner/accused No.1 shall execute a personal bond for a sum of Rs.50,000/-(Rupees fifty thousand only) with two sureties for a like sum each to the satisfaction of the VII Additional Chief Judicial Magistrate at Nampally, Hyderabad.

(ii) The petitioner/accused No.1 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.

(iii) After release, petitioner/accused No.1 shall not influence the witnesses or interfere with the investigation.

(iv) After release, if the petitioner/accused No.1 indulges in similar offence, the respondent-State is entitled to file an application seeking cancellation of the bail granted by this Court in his favour.

(v) The petitioner/accused No.1 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: 25.06.2025

vsl