

Kantharaju vs State of Karnataka

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Court : Karnataka Orders

Decided On : Feb-27-2025

Judge : Mohammad Nawaz

Appeal No. : CRL.P/1205/2025

Appellant : Kantharaju

Respondent : State of Karnataka

Judgement :

-1-

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF FEBRUARY, 2025 BEFORE THE HON'BLE MR JUSTICE MOHAMMAD NAWAZ CRIMINAL PETITION NO. 1205 OF 2025 (439(Cr.PC) / 483(BNSS)) BETWEEN: KANTHARAJU S/O VEKATESH, AGED ABOUT 50 YEARS, RESIDING AT NO. 09, OPPOSITE TO GURU BAR, 1ST MAIN ROAD, MARUTHI NAGAR, BENGALURU - 560 064. PETITIONER (BY SRI. ANAND GANESH M, ADVOCATE FOR SMT. USHADEVI K.G, ADVOCATE)

AND: Digitally signed by STATE OF KARNATAKA LAKSHMI T SOLADEVANAHALLI POLICE STATION, Location: High Court REPRESENTED

BY S.P.P. of Karnataka HIGH COURT BUILDING, BANGALORE - 560 001. RESPONDENT (BY SRI. HARISH GANAPATHY, HCGP) THIS CRL.P IS FILED U/S 439 OF CR.PC PRAYING TO ENLARGE THE PETITIONER ON BAIL IN RELEASE OF THE PETITIONER ON REGULAR BAIL IN CRIME ON.483/2024 OF THE SOLDADEVANAHALLI POLICE STATION, BENGALURU RURAL -2- DISTRICT, WHICH IS PENDING BEFORE THE CJM, BENGALURU RURAL, BENGALURU, FOR THE OFFENCES P/U/S 143(2) AND 143(3) OF THE BNS, 2023 (HEREINAFTER CALLED AS BNS, 2023 FOR CONVENIENCE) AND SECTIONS 3, 4 AND 5 OF THE IMMORAL TRAFFIC (PREVENTION) ACT, 1956 (HEREINAFTER CALLED AS ITP ACT, 1956 FOR CONVENIENCE). THIS PETITION, COMING ON FOR ORDERS, THIS DAY,

ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR JUSTICE MOHAMMAD NAWAZ

ORAL ORDER

This petition is preferred under Section 483 of the BNSS 2023 praying to enlarge the petitioner / accused No.2 on bail in Crime No.483/2024 of Soladevanahalli Police Station registered for offences punishable under Section 3, 4 and 5 of the Immoral Traffic Prevention Act, 1956 and Section 143(2), 143(3) of the BNS, 2023.

2. Brief facts: The Police Inspector of Women

Protection Wing of CCB Shantinagara on receiving a credible information on 19.12.2024 at about 03:15 p.m., that the accused are running a brothel in the ground floor -3- of house No.9 situated at Chikkabanavara, Maruthi nagar, Kempapura Main Road, after registering the case, went along with his staff and panchas and conducted raid in the said house. From the spot, they seized android mobile phone of the customer, condom packets, debit card and cash of Rs.10,5000/- under a panchanama. Petitioner along with accused Nos. 1 and 3 were in the said house. The victim was also present who on enquiry revealed that she was secured by the accused for the purpose of prostitution.

3. It is the case of prosecution that the petitioner /

accused No.2 and accused No.3 took the house on rent and with the help of accused No.1, they were trafficking women for prostitution in the said house. It is alleged that the accused were sending photographs of the victims to the customers through WhatsApp and used to invite them to the house.

4. In view of the statement of the victim, at this

stage there is a prima-facie case against the petitioner. -4- Considering that the investigation is still in progress, petitioner is not entitled for the relief sought in the petition.

5. Petitioner is permitted to file a fresh bail petition after filing of charge sheet.

6. With the above observation, petition is dismissed. Sd/- (MOHAMMAD NAWAZ)
JUDGE LDC List No.: 1 SI No.: 53 CT: BHK

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