

IN THE COURT OF THE JUDICIAL MAGISTRATE OF FIRST CLASS,
YEMMIGANUR.
PRESENT: SRI. S. VASU DEV, JUDICIAL MAGISTRATE OF FIRST CLASS.

THURSDAY, THE 18TH DAY OF APRIL, 2019

P.R.C.NO.1/2019.

State Represented by S.I. of Police,

Mantralayam Police Station.

... Complainant.

Versus.

1. Mudumari Ashok Varma, S/o. M.Satya Raju, 38 years, Sashameendra nagar, Mantralayam village and mandal.

2. K.Anjini, S/o.Rajanna, 25 years, Ramachandra nagar, Mantralayam village and mandal.

3. Mangali Theja, S/o.Ranga Swamy, 22 years, Teachers colony, Dhone town.

... Accused 1 to 3

This case coming on this day for final hearing before me in the presence of the Assistant Public Prosecutor for the State and Sri. M.K. Guru Raja Rao, Advocate for the accused and after hearing both sides, this Court made the following:

: O R D E R :

The Sub-Inspector of Police, Mantralayam P.S. filed charge-sheet against the accused 1 to 3 in Cr.No.57/2015 for the offence under section U/Sec.209 (a) Cr.P.C. for the offence U/sec.370(A)(2) of I.P.C and Sec.3,4,5,7(1)(a) of PIT Act.

02. The brief allegations in the charge-sheet are as follows:

On 19-10-2016, at about 11.30 hours, the Inspector of police, Mantralayam circle (LW7) HC 1984 Mantralayam PS and the supporting staff (LW4 & LW5) with the mediators (LW2 & LW3) reached Raghasudha

Lodge, situate in Madhavaram road, Mantralayam road, Mantralayam village and mandal in police jeep AP-18-P-1857. The police personnel and mediators found A1 and A2 stood in front of the lodge. On seeing the police jeeps, A1 and A2 tried to fled away and were caught by LW5 and LW6. The police personnel, mediators with A1 and A2 went into the lodge and to room no.303 and got opened the room with A1 and found one person male person A3 one female person LW1(Akula Swathi) on the cot in vulgar condition. On interrogation by LW7, A1 freely and voluntarily confessed about he is using the Room no.303 in his lodge as a “brothel” for the purpose of prostitution and living on the earnings of prostitution for the mutual gain by procuring woman through the accused A2 from Hyderabad, Guntur, Kurnool and etc., securing paramours front in and around of the Mantralayam and other places. On 31-10-2018 evening the accused A2 procured the LW1(Akula Swathi) from Hyderabad and took her to the lodge of A1 and there the accused A1 kept the LW1 in room no.303 and he informed the same to A3 over phone. On 01-11-2018 in the morning the accused A3 visited the lodge of A1 having seen LW1 he negotiated with A1 and he paid Rs.2000/- to the A1.

The Inspector of police (LW7) has recorded the free and voluntary confession of A1 about using his lodge as “Brothel” and presence of A3 and LW1 in the lodge in room no.303 and seized Rs.2,000/- paid by A1 to A1. LW7 recorded the confession of LW1, while she was with A3 to satisfy his sexual appetite and become alert on the intervention of police.

The Inspector of police (LW7) preserved the arrest of A1 to A3 and their free and voluntarily confession of the offence with LW1 and seized Rs.2000/- cash, 3 cell phones, two condom pockets from the accused in the lodge of A1 in presence of panchayatdars LWS 2 and 3 and kept the entire episode under a cover of panchanama dated 01.11.2018 commenced at 11.30 PM and concluded by 12.45PM. On 02.11.2018, the

Inspector of police (LW7) forwarded the accused A1 to A3 to the court of Judicial 1st class Magistrate, Yemmiganur, for remanding them to the judicial custody.

Inspector of police (LW7) obtained C.D.Rs of accused A1 M.Ashok, A2 Anjini and A3 M.Teja from respective service providers, including C.A.F (Consumer application forms) and it is established that the accused A1 to A3 had conversation together from 30.10.2018 to 01.1.2018 copies of C.D.Rs and C.A.F here with enclosed. Thus the accused A1 and A2 by using the Room no.303 in Raghasudha Lodge as “brothel” for the purpose of prostitution for the “mutual gain” of two or more prostitutes as defined u/s2(a) rendered themselves liable to be punished u/sec.391) of the Suppression of Immoral Traffic in woman and girls Act-1956. The accused who lived on the earnings of Prostitution of woman shall be liable to be punished u/s.4(1) of the Suppression of Immoral Traffic in woman and girls Act-1956. Thus the accused who carried prostitution room no.303 in Raghasudha Lodge A1 is being the owner of the lodge and A2 procured the women (LW1) for purpose of prostitution with A3 one liable to be punished u/s5(1)(a) and U/sec.7(1)(a) of Suppression of Immoral Traffic in woman and girls Act-1956. After completion of the investigation, the S.I. of Police, Mantralayam P.S. filed charge sheet against the accused 1 to 3. Hence, the charge.

3. The case was taken on file U/sec.370(A)(2) of I.P.C and Sec.3,4,5,7(1) (a) of PIT Act against the accused 1 to 3. On their appearance before this Court, copies of documents as required U/Sec.207 Cr.P.C. were furnished to them.

4. Perused the record. The prosecution made out prime-facie case for the offence U/sec.370(A)(2) of I.P.C and Sec.3, 4, 5, 7(1)(a) of PIT Act which is exclusively triable by the court of Sessions. Hence, the case is committed to the court of Sessions U/sec.209 (a) of Cr.P.C.

5. The accused 1 to 3 are on bail and they shall continue to be on bail during and until conclusion of the trial in the Sessions case U/s 209 (b) CrPC.

6. The Office is directed to transmit the entire case record and material objects if any to the Court of Sessions, Kurnool, at an early date under section 209 (c) Cr.P.C.

7. The Public Prosecutor is Notified of the committal of the case to the Court of Sessions, Kurnool U/s 209 (d) Cr.P.C.

8. When asked the accused 1 to 3 about the means to engage an advocate on their behalf, they stated that they have means to engage advocate on their behalf.

Typed to my dictation, corrected and pronounced by me in the Open Court this the 18th day of April, 2019.

**Judicial Magistrate of I Class,
YEMMIGANUR .**

APPENDIX OF EVIDENCE

-Nil -

J.F.C.M.