



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 09TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE S RACHAIAH

CRIMINAL PETITION NO. 2659 OF 2026

(439(Cr.PC)/483(BNSS))

BETWEEN:

PAVAN M

S/O MARUTHI

AGED ABOUT 25 YEARS

R/O DIBBURU VILLAGE,

DIBBURU POST,

KASABA HOBLI,

TUMAKURU - 572 106.



...PETITIONER

(BY SRI. PAVAN KUMAR G., ADVOCATE)

AND:

STATE OF KARNATAKA

BY JAYANAGARA P.S



TUMAKURU

REP BY SPP

HIGH COURT BUILDING

BANGALORE - 560 001.

...RESPONDENT

(BY Ms. ASMA KOUSER., ADDL. SPP)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 439 CR.PC (FILED U/S 483 BNNS) BY THE ADVOCATE FOR THE PETITIONER PRAYING TO ENLARGE THE PETITIONER ON BAIL IN CRIME NO.21/2026 ON THE FILE OF IV ADDITIONAL CJ (JD) AND V JMFC, TUMAKUR FOR THE OFFENCES P/U/S.3, 4, 5, 7 OF THE ITP ACT AND SECTION 143 OF BHARATIYA NYAYA SANHITA, 2023.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE S RACHAIAH



ORAL ORDER

1. The petitioner / accused, is before this Court seeking regular bail in Crime No.21/2026 registered by the respondent-police for the offences punishable under Sections 3, 4, 5, 7 of Immoral Traffic Prevention Act, 1956 and Section 143 of Bharatiya Nyaya Sanhita, 2023.

Brief facts of the case:

2. The case of the prosecution is that on 30.01.2026 at about 03.45 p.m., WPC-600 had informed the complainant that she had received an information from one Mallesh that his brother-in-law is running immoral trafficking at his house by securing Girls from the inter-districts. Based on the said information, the complainant - Police have conducted the raid and arrested the accused and remanded him to judicial custody. The investigation is under progress.
3. Heard Sri Pavan Kumar G., learned counsel for the petitioner and Ms. Asma Kouser, learned Additional SPP for the respondent – State.



4. The submission of the learned counsel for the petitioner is that the petitioner is innocent of the alleged offences and he has been falsely implicated in this case. There is a civil dispute between the petitioner and the owner of the building. In order to implicate the petitioner in a false case and to get him evicted from the house, a false case has been registered against him. The alleged offences are neither punishable with death nor imprisonment for life. The petitioner may be enlarged by imposing suitable conditions. He will abide by the conditions imposed by this Court in the event of his release on bail. Moreover, the petitioner is the permanent resident of Dibburu Village, Tumakur Taluk and District. Making such submissions, learned counsel for the petitioner prays to allow the petition.
5. *Per contra*, learned Additional SPP for the respondent – State vehemently submitted that the petitioner has committed heinous offence. He used to run brothel house in the building where his brother-in-law is the owner of the said building. The petitioner used to hire



women and girls from various States and Districts, on the pretext of getting them suitable jobs in respective Companies and forced them to engage in the activities and used to collect money from the customers. The act committed by the petitioner is heinous in nature and therefore, it is not appropriate to grant him bail. Making such submissions, learned Additional SPP prays to reject the petition.

6. Having heard learned counsel for the respective parties and perused the averments of the remand application and also the FIR, it appears that a complaint came to be registered by the Police Officer Smt. Chandrakala T.S., who was working as PSI at Tumakuru Women Police Station, alleging that prostitution is taking place in the house situated behind Varadaraja College, Jayanagara South Layout. The complainant and her team went to the spot, conducted a raid and rescued the victims of the crime. On thorough investigation, they came to know that the petitioner was running the said brothel house.



Hence, a complaint came to be registered against him for the offences stated *supra*.

7. Be that as it may, on going through the facts and circumstances of the case, I am of the considered opinion that the petitioner has made out a case to grant him bail. If suitable conditions are imposed, the apprehension of the prosecution would be met.

8. Hence, I proceed to pass the following:-

ORDER

- (i) The Criminal Petition is ***allowed***.
- (ii) The petitioner is ordered to be enlarged on bail in Crime No.21/2026 registered by the respondent-police for the offences stated *supra*, on executing a personal bond in a sum of Rs.1,00,000/- (Rupees One Lakh only) with one surety for the likesum to the satisfaction of the Trial Court.



- (iii) The petitioner shall not threaten or tamper the prosecution witnesses nor hamper the proceedings of the Court.
- (iv) The petitioner shall appear before the Trial Court on all hearing dates without fail.
- (v) The petitioner shall not involve in any criminal activities till disposal of the case.
- (vi) The petitioner shall co-operate with the investigation till filing of the final report.

In case the petitioner violates any of the bail conditions as stated above, liberty is reserved to the prosecution to file necessary application for cancellation of bail.

Sd/-
(S RACHAIAH)
JUDGE

BSS
List No.: 1 Sl No.: 1