

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 1019 OF 2014
(Arising out of S.L.P.(Crl.) No. 9260 of 2013)

PRABHU S. ... APPELLANT(S)

VERSUS

KAMAKSHI & ANR. ...RESPONDENT(S)

O R D E R

Petitioner, aggrieved by the order by which the High Court had granted anticipatory bail to the respondents in Crime No. 248 of 2013 registered at Bellary Rural Police Station, Bellary, under Section 370, 370-A, 366, 366-A of the Indian Penal Code, Section 3, 4, 5, 6, 7 and 9 of the Immoral Traffic (Prevention) Act, 1956 and Section 3 and 4 of the Protection of Children from Sexual Offences Act, 2012, has preferred this special leave petition.

Leave granted.

In view of the order which we propose to
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pass in this appeal, it is inexpedient to give in detail the facts of the case. Suffice it to say that the respondents are alleged to have induced a girl for prostitution. Having glanced through the Order of the High Court, we find that it had not referred to the materials which have bearing on the prayer for grant of anticipatory bail.

Accordingly, we set aside the order of the High Court and remit the matter back to it for its consideration in accordance with law.

We direct the respondents to appear before the High Court within four weeks. Till the decision by the High Court, the respondents shall not be arrested subject to their cooperating in the investigation.

We make it clear that the observations made by us in the present appeal is for the purpose of its disposal and shall have no bearing while the High Court considers the application of the respondents for grant of anticipatory bail on merit.

In the aforesaid terms, the appeal stands allowed and the matter is remitted back to the High Court.

.....J.
(CHANDRAMAULI KR. PRASAD)

.....J.
(PINAKI CHANDRA GHOSE)

New Delhi;
May 1, 2014

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ITEM NO.26 COURT NO.8 R E V I S E D SECTION IIB

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl) No(s).9260/2013

(From the judgement and order dated 13/09/2013 in CRL.P. No.11206/2013 of The HIGH COURT OF KARNATAKA CIRCUIT BENCH AT DHARWAD)

PRABHU S. Petitioner(s)

VERSUS

KAMAKSHI & ANR. Respondent(s)

(With appln(s) for stay and office report)

WITH SLP(Crl) NO. 1932 of 2014

(With appln(s) for stay and cancellation of bail and office report)

SLP(Crl) NO. 1933 of 2014

(With appln(s) for stay and cancellation of bail and office report)

SLP(Crl) NO. 1934 of 2014

(With appln(s) for stay and office report)

Date: 01/05/2014 These Petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE CHANDRAMAULI KR. PRASAD
HON'BLE MR. JUSTICE PINAKI CHANDRA GHOSE

For Petitioner(s) Mr. B.S. Banthia, Adv.

For Respondent(s) Mr. Bankey Bihari, Adv.
Mr. Chandrashekhar C., Adv.
Mr. Awanish Kumar, Adv.

Mr. Sharanagouda N. Patil, Adv.
For M/S S Legal Associates, Adv.

Mr. Ankolekar Gurudatta, Adv.

UPON hearing counsel the Court made the following
O R D E R

S.L.P. (Crl.) No. 9260/2013:

Leave granted.

The appeal is allowed in terms of the revised signed
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order.

S.L.P. (Crl.) Nos. 1932/2014, 1933/2014 and 1934/2014:

The special leave petitions are dismissed.

(S.K. Rakheja)
Court Master

(Indu Satija)
Assistant Registrar

(Revised signed order is placed on the file)

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.....J.
(CHANDRAMAULI KR. PRASAD)

.....J.
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New Delhi;
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Mr. Awanish Kumar, Adv.

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The appeal is allowed in terms of the signed order.

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S.L.P. (Crl.) Nos. 1932/2014, 1933/2014 and 1934/2014:

The special leave petitions are dismissed.

(S.K. Rakheja)
Court Master

(Indu Satija)
Assistant Registrar

(Signed order is placed on the file)