

**IN THE HIGH COURT OF KARNATAKA  
CIRCUIT BENCH AT DHARWAD**

DATED THIS THE 29<sup>th</sup> DAY OF JULY, 2011

BEFORE

THE HON'BLE MR.JUSTICE B.V.PINTO

**CRIMINAL PETITION NO.10943/2011**

BETWEEN:

1. Sri Anand Basappa Mashale,  
Aged 36 years Occ: Advocate
2. Sri Chunappa Basappa Mashale,  
Aged 39 years Occ: Agriculture
3. Sri Jayant Basappa Mashale,  
Age 34 years Occ: Agriculture

All r/o Rajapur, Tal: Gokak, Dist: Belgaum

... PETITIONERS

(By Shri Santosh B.Malagoudar, Advocate)

AND:

The State of Karnataka  
Through PSI Ghataprabha Police Station  
Represented by its SPP  
SPP office, Circuit Bench Dharwad.

... RESPONDENT

(By Shri Vinayak S Kulakarni, HCGP)

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This criminal petition is filed under Section 438 Cr.P.C. seeking to enlarge the petitioners on bail in the event of their arrest in Crime No.169/2011 of Ghataprabha P.S for the offences punishable under Secs.504, 506, 307 r/w Sec.34 IPC.

This criminal petition coming on for orders this day, the Court made the following: -

**ORDER**

Heard learned Counsel for the petitioners and Sri. Vinayak S. Kulkarni, learned High Court Government Pleader for the State.

2. This petition is filed seeking anticipatory bail in Crime No.169/2011 of Ghataprabha Police Station, Gokak Taluk, which is registered for the offences punishable under Sections 504, 506, 307 read with Section 34 of IPC on 25.06.2011.

3. It is stated in the complaint of one Bairappa Basappa Yakkundi that he is a member of Gram Panchayat, Rajpur village. It is stated in the complaint that one week prior to the filing of the complaint, there was some dispute between the petitioners and other



members. It is in the complaint that there was a complaint against one Anand filed by one Bonappa and in this connection the panchayat members had a meeting and at that time, at about 10.00 am on the said day, the petitioners who are the accused Nos. 1 to 3 are said to have come with clubs and jambe and are said to have threatened the President and Vice-President of the Panchayat and they have also threatened that they would commit murder of both of them. It is seen that no injuries have been caused as stated in the complaint by the complainant.

4. Under the circumstances, the petition is allowed with the following conditions.

- i. In the event of arrest of the petitioners by the police in Crime No.169/2011, they shall be released on bail on their executing a bond for Rs.25,000/- (Twenty Five Thousand



Only) each with one surety for the like sum to the satisfaction of the concerned officer.

- ii. The petitioners are directed to surrender before the Police within 10 days from today. The Police are at liberty to keep the petitioners in the police custody for a maximum period of three days for the purpose of investigation, interrogation, identification and recovery. During the period when the petitioners are in police custody, they shall be in custody between 8.00 am and 6.00 pm.
- iii. The petitioners shall not tamper with the prosecution witnesses.
- iv. The petitioners shall file a regular bail application before the jurisdictional Magistrate within four weeks from today and the learned Magistrate shall dispose of the



said application on merits without reference  
to the order passed herein.

If any of these conditions are violated, the  
jurisdictional Magistrate is at liberty to cancel the bail  
and commit them to custody without reference to this  
Court.

**Sd/-  
JUDGE**

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