

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 31<sup>ST</sup> DAY OF AUGUST, 2012

BEFORE

THE HON'BLE MR. JUSTICE H.N. NAGAMOHAN DAS

CRIMINAL PETITION NO.4544/2012

BETWEEN

1. MANSUR @ SYED MANSUR  
S/O LATE SYED AMEER  
AGED ABOUT 44 YEARS
2. SMT BABY @ RIYANABEGUM  
W/O SYED MANSUR  
AGED ABOUT 33 YEARS

BOTH ARE R/AT NO.3,  
MUSLIM BLOCK, BEHIND MOSQUE  
H D KOTE TOWN,  
MYSORE DISTRICT

... PETITIONERS

(BY SRI. M K NIYAZUDDIN, ADVOCATE)

AND

STATE BY POLICE INSPECTOR  
HEGADEDEVANA KOTE POLICE STATION  
REPRESENTED BY  
STATE PUBLIC PROSECUTOR  
HIGH COURT BUILDING,  
BANGALORE- 560 001.

... RESPONDENT

(BY SRI.SATISH.R.GIRJI, HCGP)

THIS CRIMINAL PETITION FILED U/S.438 CR.P.C PRAYING TO ENLARGE THE PETITIONERS ON BAIL IN THE EVENT OF THEIR ARREST IN CR. NO.8/2012 AND C.C.NO.280/2012 OF H.D.KOTE P.S., MYSORE DIST., WHICH IS REGISTERED FOR THE OFFENCE P/U/S 498A, 302 R/W 34 OF IPC.

THIS CRIMINAL PETITION IS COMING ON FOR ORDERS THIS DAY, THE COURT MADE THE FOLLOWING:-

### O R D E R

The jurisdictional police registered a case against the petitioners and others for the offences punishable under Section 498-A, 307 r/w Section 34 of IPC and Section 3 and 4 of Dowry Prohibition Act.

2. The investigation is completed and charge sheet is filed in CC No.280/2012 for the offences punishable under Section 498-A, 302, 304-B r/w Sec 34 of IPC and Section 3, 4 and 6 of Dowry Prohibition Act. The petitioners are arraigned as Accused Nos.8 and 9. In the complaint, the names of the petitioners are not included. Subsequently, names of these petitioners came to be included. The incident had taken place in the house of

Accused No.1. These petitioners are not leaving with Accused No.1 and they are not present at the time of the incident. In identical circumstances, this Court vide order dated 23.08.2012 in CrI.P.No.3815/2012 enlarged Accused Nos.6 and 7 on bail. Therefore, the petitioners are also entitled for similar reliefs.

3. For the reasons stated above, the following:

#### O R D E R

The petition is hereby allowed. The petitioners are enlarged on bail on the following conditions:-

- i) The petitioners to execute a personal bond for a sum of Rs.50,000/- each (Rupees Fifty Thousand only) with local solvent surety for the likesum to the satisfaction of the trial Court.
- ii) The petitioners shall not leave the jurisdiction of the trial Court without prior permission from it.

- iii) On all hearing dates, the petitioners shall appear before the trial Court.
- iv) The petitioners shall not in any manner tamper with the prosecution witnesses.

Violation of any one of the conditions above will result in cancellation of bail order. Ordered accordingly.

Sd/-  
JUDGE

KSR