

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 31st DAY OF AUGUST, 2012

BEFORE

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

CRL.P.No.4707/2012

BETWEEN

Sri KEMPARAJU
SON OF SRINIVAS
AGED ABOUT 25 YEARS
RESIDING AT No.12,
EWS QUARTERS, NANDINI
LAYOUT, BANGALORE – 560 096.
(ACCUSED No.4)

... PETITIONER

(By Sri : J.V.PRAKASH, ADV.)

AND :

THE STATE OF KARNATAKA
BY NANDINI LAYOUT POLICE STATION
BANGALORE
REP.BY ITS GOVERNMENT PLEADER
HIGH COURT COMPELX,
BANGALORE.

... RESPONDENT

(By Sri: SREENIVASA REDDY, HCGP)

CRL.P FILED U/S.439 CR.P.C BY THE ADVOCATE FOR THE PETITIONER PRAYING THAT THIS HON'BLE COURT MAY BE PLEASED TO ENLARGE THE PETITIONER ON BAIL WHO IS ACCUSED No.4 IN C.C.No.17479/2012 FOR THE OFFENCE P/U/S 395,397,OF IPC PENDING ON THE FILE OF THE VII ACMM, BANGALORE.

This petition coming on for orders, this day, the court made the following;

ORDER

On a complaint by one Vijaykumar, the jurisdictional police registered a case against the petitioner and others in Cr.No.101/2012 for the offences punishable under Sections 395 and 397 IPC. After investigation charge sheet is filed in C.C.No.17479/2012. The Trial Court in its order dated 7.8.2012 in Crl.Mis.No.4083/2012 refused to grant bail on the ground that the petitioner may involve in similar offence. It is seen from the record that there is no past history alleged against the petitioner. Even the evidence against the petitioner is circumstantial. Petitioner is in custody for the last three months. Now that the charge sheet is filed there is no reason for continuance of

petitioner in custody. However, petitioner is to be put on some terms. Accordingly, the petition is allowed. Petitioner to be enlarged on bail subject to the following conditions:

- i) Petitioner shall execute a personal bond for Rs.50,000/- with a solvent surety for the likesum to the satisfaction of the Trial Court.
- ii) Petitioner shall regularly attend the court on all hearing dates.
- iii) Petitioner shall not leave the jurisdiction of the court without prior permission from it.
- iv) Petitioner shall not tamper with the prosecution witnesses.
- v) On every Sunday between 8 a.m. and 5 p.m. petitioner shall mark his attendance before the respondent police.
- vi) Any violation of any one of the above conditions will result in cancellation of the bail order.

Sd/-
JUDGE.