

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 30TH DAY OF APRIL, 2013

BEFORE

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

CRIMINAL PETITION NO. 2643/2013

BETWEEN

Kumara @ Ole Kumara
S/o. Boraiah,
Aged about 30 years,
R/at No. 157, 1st Cross,
Nar Medical Store,
Papireddy Palya,
BDA Complex,
Bangalore.

... PETITIONER

(By Sri. A.N.Radhakrishna, Adv.)

AND

State of Karnataka by
Cottonpet Police,
Represented by
State Public Prosecutor
High Court Buildings,
Bangalore 560 001.

... RESPONDENT

(By Sri G.M.Srinivasa Reddy, HCGP)

This CrI.p is filed u/s.439 of Cr.P.C praying to
enlarge the petitioner on bail in Crime No.279/2012 of
Cottonpet Police.

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

ORDER

Petitioner is accused No.5 in Crime No.279/2012 for offences punishable under Sections 143, 147, 148, 149 and 302 IPC. Investigation is completed and charge sheet is filed.

2. C.W.1 is the eye witness and is also the complainant. In the complaint, this eye witness do not mention the name of the petitioner/accused No.1. It is on the basis of the statement made by C.Ws. 9 to 14, this petitioner is implicated in the crime. In the charge sheet, it is alleged that this accused caused injury to the thigh of the deceased. On the other hand, C.W.1 in his complaint states that it is accused Nos. 1 and 2 who have caused injury to the deceased on his thigh. In these circumstances, I am of the considered opinion that the petitioner is to be enlarged on bail.

Accordingly, the following:

ORDER

The petition is hereby allowed. The petitioner is enlarged on bail, subject to the following conditions:-

- i) Petitioner shall execute a personal bond for a sum of Rs.50,000/- (Rupees Fifty thousand only) with a local solvent surety for the like-sum to the satisfaction of the Trial Court.
- ii) On all hearing dates, the petitioner shall be present before the Trial Court.
- iii) The petitioner 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**

VP