

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 31<sup>ST</sup> DAY OF DECEMBER 2013

BEFORE

THE HON'BLE MR. JUSTICE A.V.CHANDRASHEKARA

CRIMINAL PETITION No.7613/2013

BETWEEN:

RAVI @ RAVIKUMAR  
AGED ABOUT 38 YEARS  
RESIDENT OF SUBHASH NAGAR  
2<sup>ND</sup> CROSS, ARSIKERE – 573 103  
HASSAN DISTRICT.

...PETITIONER

(BY SRI.B.CHETHAN, ADV.,)

AND:

STATE OF KARNATAKA  
ARASIKERE TOWN POLICE  
ARSIKERE – 573 103  
HASSAN DISTRICT.

...RESPONDENT

(BY SHRI.D.ASWATHAPPA, AGA)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 438 OF THE CODE OF CRIMINAL PROCEDURE, 1973, PRAYING TO ENLARGE THE PETITIONER ON BAIL IN THE EVENT OF HIS ARREST IN CRIME NO.295/2013 OF ARASIKERE TOWN P.S., HASSAN, FOR THE OFFENCES P/U/S 3 & 4 LIQUEFIED PETROLEUM GAS SUPPLY AND CONTROL ORDER 2000 AND SE. 3 & 7 OF ESSENTIAL COMMODITIES ACT 1955.

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

O R D E R

The present petition is filed under Section 438 of Cr.P.C. as the petitioner is apprehending his arrest at the hands of Investigating Officer of Arasikere Town Police Station who is conducting investigation in Crime No.295/2013 for the offences punishable under Sections 3 & 7 of Essential Commodities Act, 1955 for having violated the provisions of Liquefied Petroleum Gas Supply & Control Order, 2000.

2. The allegation against this petitioner is that he was instigating accused No.2 to use the domestic LPG cylinders for filling commercial LPG cylinders.

3. Learned Government Advocate has opposed the bail application stating that the offences are serious in nature as they are in respect of essential commodities.

4. Learned counsel for the petitioner has furnished the certified copy of the order passed by learned JMFC, Arasikere, on 07.10.2013 releasing

accused No.2. Any how, the allegations against both the accused are similar in nature. In the light of the similarly placed accused being released on bail under Section 437 of Cr.P.C. by the learned JMFC, this is a fit case in which the present petitioner is also be released on bail. Hence, the following:

**ORDER**

1. The petition is allowed.
2. The petitioner is ordered to be released on bail on executing a personal bond in a sum of Rs.10,000/- (Rupees Ten Thousand Only) to the Investigating Officer for conducting the investigation.
3. The petitioner shall co-operate with the Investigating Officer in conducting further investigation and shall not threaten the prosecution witnesses or lure them in any manner.

**Sd/-  
JUDGE**

VMB