

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 29TH DAY OF MAY 2014

BEFORE

THE HON'BLE MR.JUSTICE ANAND BYRAREDDY

CRIMINAL PETITION No.3128 OF 2014

BETWEEN:

K.James
S/o late Koshi
Aged about 65 years
R/at Victory Colony
Opp B.G.School, Kavoor
Gandhinagar Mangalore
Pin-575025

...Petitioner

(By Sri.Prasanna D.P, Advocate)

And:

State of Karnataka
By Kavoor Police
D.K.Dist Pin-575015

... Respondent

(By Sri.K.R.Keshavamurthy, Additional SPP)

This criminal petition is filed under Section 439 of Code of Criminal Procedure, by the advocate for the petitioner praying that this Hon'ble Court may be pleased to release the petitioner on bail in Cr.No.73/2014 of Kavoor Police Station, Dakshin Kannada District, for the offence p/u/s 307 of IPC.

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

ORDER

Heard the learned counsel for the petitioner and the learned Additional State Public Prosecutor.

2. The petitioner is said to be aged about 65 and it is stated that there is a case and a counter case. It is alleged that the petitioner had attacked the complainant with a stone and pushed him into a gutter, where as in the counter case, it is alleged that it is the complainant who had assaulted the petitioner and who had torn his shirt. The complainant is also aged 65 years.

3. It is also pointed out that the medical certificate produced by the complainant indicates a very minor injury and there is no seriousness that can be attached to the complaint. In that back ground, the petitioner is entitled to be enlarged on bail.

4. Therefore, the petition is allowed subject to the following conditions:

- (i) The petitioner shall execute a personal bond in a sum of Rs.25,000/- (Rupees Twenty Five thousand) with one surety for a likesum to the satisfaction of the Court below.
- (ii) The petitioner shall not directly or indirectly seek to influence the prosecution witnesses.
- (iii) The petitioner shall appear before the Investigation officer as and when required and shall co-operate with the Investigating Officer.
- (iv) The petitioner shall attend the Court regularly.
- (v) In case of violation of any of these conditions, the Court is at liberty to pass suitable orders.

**Sd/-
JUDGE**

GH