

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 31ST DAY OF MARCH 2015

BEFORE

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

CRIMINAL PETITION NO. 1577 OF 2015

BETWEEN:

NARAYANA
S/O THIMMAIAH,
AGED ABOUT 38 YEARS,
R/AT 20TH CROSS,
1ST MAIN, JAYANAGARA,
MYSORE-570001.

... PETITIONER

(BY SRI K.A. CHANDRASHEKARA, ADVOCATE)

AND

THE STATE OF KARNATAKA
BY MADIKERI TOWN P.S.
REPT. THROUGH
THE STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BENGALURU-560 001.

... RESPONDENT

(BY SRI B.J. ESHWARAPPA, HCGP)

THIS CRL.P IS FILED U/S.438 CR.P.C., PRAYING
TO ENLARGE THE PETR. ON BAIL IN THE EVENT OF
HIS ARREST IN C.C.NO.564/2014 ON THE FILE OF
PRL. C.J. AND J.M.F.C., MADIKERI, FOR THE
OFFENCES P/U/Ss. 406,409,420,468 R/W 34 OF IPC.

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

ORDER

Heard the learned counsel for the petitioner and the learned HCGP for the complainant.

2. Petitioner is accused No.2 in PCR No.300/2013 on the file of Principal Civil Judge and JMFC at Madikeri. On recording statements of complainants and witnesses, a case has been registered in CC No.564/2014 for the offences punishable U/Ss.406, 409, 420 and 468 R/w. 34 IPC.

3. Accused No.1 Mr. Suraj is proprietor of M/s. Sai Securities, which has its main office in Udupi. It has branch office at Mysore. As many as 14 complainants invested huge amount in the said Sai Securities. The petitioner is working as Branch Manager at Mysore. It is alleged that the accused have mis-utilized the provident fund amount of all the

complainants to the extent of Rs.5,00,000/- and refusing to pay the same back to the complainants.

4. Learned HCGP has vehemently objected the bail application.

5. After perusal of the records it emerges that, the offences are exclusively trial by the learned trial Court, since the offences alleged are neither punishable with death nor imprisonment for life and the. Petitioner has undertaken to abide by any conditions imposed by this Court.

6. The apprehension of the learned Government Pleader could be suitably met with by imposing certain conditions.

ORDER

- i. Petition is allowed.
- ii. Petitioner is ordered to be released on bail on executing a personal bond of Rs.1,00,000/- (Rupees One lakh Only) with one surety for the likesum to the satisfaction of the concerned Court.

- iii. He shall not tamper with any of the prosecution witnesses directly or indirectly and shall not involve himself in any criminal activities.
- iv. He shall surrender before the Court on or before 15.04.2015 to execute personal bond and also surety bond
- v. He shall attend the Court on all hearing dates without fail.

Sd/-
JUDGE

Sbs*