

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29<sup>TH</sup> DAY OF SEPTEMBER, 2016

BEFORE

THE HON'BLE MRS.JUSTICE RATHNAKALA

**CRL.P.No.5851/2016**

BETWEEN:

MANJAPPA @ MANJUNATHA,  
S/O PANI THIMMANNA,  
AGED ABOUT 33 YEARS,  
HOTEL EMPLOYEE,  
R/O HIRENALLUR VILLAGE,  
KADUR TALUK,  
CHIKKAMAGALURU DISTRICT-577 548. ... PETITIONER

(By Sri.K.S.GANESHA, ADV.)

AND:

STATE BY BIRUR POLICE,  
CHIKAMAGALURU DISTRICT-577 116,  
REP BY PUBLIC PROSECUTOR,  
HIGH COURT OF KARNATAKA,  
BENGALURU-01. ... RESPONDENT

(By Sri.B.J.ESHWARAPPA, HCGP)

THIS CRL.P FILED U/S.439 Cr.P.C., PRAYING THAT THIS HON'BLE COURT MAY BE PLEASED TO ENLARGE THE PETITIONER ON BAIL IN CR.NO.24/2016 OF BIRUR P.S., CHIKKAMAGALURU FOR THE OFFENCE PUNISHABLE U/S 323, 450 AND 376(2)(i)(n) R/W 34 OF IPC AND SEC. 5(L) AND 6 OF POCSO ACT.

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

**ORDER**

1. Respondent-Police have registered a case in Crime No.24/2016 for the offences punishable under Sections 448, 323, 376, 34 IPC and under Section 6 of POCSO Act.

2. As per the complaint allegation, the victim girl is aged 15 years. As per the submission at the bar, charge sheet is filed in respect of the above mentioned allegations. The Trial Court has not yet framed charges.

3. Having regard to the nature of allegations, it is not the appropriate stage to enlarge the petitioner on bail. Hence, this petition is dismissed. Liberty is reserved to the petitioner to move fresh bail petition before the concerned court, in which event, the same shall be considered after recording the evidence of the victim girl. The Trial Court shall expedite the trial, frame charge and complete the exercise of recording the evidence of the victim girl within two months from the date of receipt of a copy of this order.

**Sd/-  
JUDGE**

KK