

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28<sup>TH</sup> DAY OF DECEMBER 2017

BEFORE

**THE HON'BLE MR. JUSTICE N.K.SUDHINDRARAO**

**CRIMINAL PETITION NO.10067 OF 2017**

**BETWEEN:**

SRI.R.GAJENDRA @ GAJA  
S/O RAJENDRA PRASAD  
AGE: 26 YEARS  
RESIDING AT NO.51  
1<sup>ST</sup> MAIN, 4<sup>TH</sup> CROSS  
NEAR GANESHA TEMPLE  
SOMESHWARANAGARA  
MAHALAKSHMI LAYOUT  
BENGALURU – 560 086

... PETITIONER

(BY SRI.M.M.ABHIJITH, ADV.)

**AND:**

STATE OF KARNATAKA  
BY NANDINI LAYOUT POLICE STATION  
BENGALURU  
REPRESENTED BY STATE  
PUBLIC PROSECUTOR  
HIGH COURT OF KARNATAKA  
BANGALORE – 560 001

... RESPONDENT

(BY SRI.K.NAGESHWARAPPA, ADV.)

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This Criminal Petition is filed under Section 439 of Cr.P.C., praying to enlarge the petitioner on bail in Cr.No.138/2016 of Nandini Layout police station, Bengaluru and

in C.C.No.24153/2016 on the file of III Addl. C.M.M., Bengaluru for the offence punishable under Sections 143, 148, 427, 302 r/w 149 of IPC and Section 3(1) of Prevention of Damage to Public Property Act, 1984.

This Petition coming on for Orders this day, the Court made the following:-

**ORDER**

The substance of the complaint is that on 31.7.2016 at about 11 p.m. when the complainant Dhanushree, her husband Vijay Kumar and her in laws were having dinner, at that time, one Raja @ Panparag Raja who was after the complainant earlier, along with Sathish @ Mota and Tejas @ Teja were creating noise. The window glasses were broken by pelting stones and the husband of the complainant wanted to see what was going on at that hour and was followed by the complainant who started searching for her husband who was not seen. Incidentally, she saw her husband in the pool of blood.

2. Learned counsel for the petitioner would submit that the case is registered against the petitioner purely on the basis of suspicion against realities.

3. Learned High Court Government Pleader would oppose the application.

4. Learned counsel for the petitioner would submit that the charge also has not been framed.

5. In the circumstances, I am of the view that it is not just and proper to exercise the discretion. However, the learned District Judge may consider the custody of the petitioner and dispose of the case expeditiously.

Hence, the petition is rejected.

**Sd/-  
JUDGE**