

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF MARCH 2020

BEFORE

THE HON'BLE MR. JUSTICE JOHN MICHAEL CUNHA

CRIMINAL PETITION NO.1896 OF 2020

BETWEEN:

SRI M RAGHU
SON OF LATE MANJAPPA
AGE ABOUT 25 YEARS
RESIDING AT NO 412, 6TH CROSS,
RANGANATHAPURA, KAMAKSHIPALYA
BENGALURU - 560040

...PETITIONER

(BY SRI: PAWADEGOWDA, ADVOCATE)

AND:

STATE OF KARNATAKA
BY VIJAYANAGARA POLICE STATION
BENGALURU - 560040
(REP BY SPP
HIGH COURT BUILDING
BENGALURU - 560001)

...RESPONDENT

(BY SRI: R.D. RENUKARADHYA, HCGP)

THIS CRL.P IS FILED UNDER SECTION 439 OF CR.P.C
PRAYING TO ENLARGE THE PETITIONER ON BAIL IN
CR.NO.372/2019 (C.C.NO.2962/2020) (S.C.NO.376/2020) OF

VIJAYANAGAR POLICE STATION, BANGALORE FOR THE OFFENCES PUNISHABLE UNDER SECTIONS 341 AND 307 OF IPC.

THIS CRL.P COMING ON FOR ORDERS THIS DAY, THE COURT MADE THE FOLLOWING:-

ORDER

Heard learned counsel for petitioner and learned HCGP. Learned HCGP has not filed any statement of objections, but has orally opposed the petition.

Petitioner has sought his release in Cr.No.372/2019 now pending in S.C.No.376/2020. Investigation is completed and charge sheet is laid against the petitioner under section 341 and 307 IPC.

2. The case of the prosecution is that on 25.11.2019 at about 4.30 p.m., while the victim was returning from her college, the petitioner herein obstructed her on the way and stabbed her with a knife on her neck and pelvic region saying that he is in love with her, but she was not heeding to his proposals.

3. Having regard to the circumstances of the case and the investigation itself is completed, in my view, the custody of the petitioner is not required to be extended. Though the charge sheet is laid under section 307 IPC, the location of the injuries no-doubt indicate that the petitioner attacked on the vital part of the body of the victim, yet, the said injury is stated to be simple in nature. In the facts and circumstances of the case, custody of the petitioner is not required for the purpose of trial. Petition therefore deserves to be allowed subject to conditions:-

Accordingly, the criminal petition is **allowed**.

- a) Petitioner is ordered to be enlarged on bail on furnishing a bond in a sum of Rs.1,00,000/- (Rupees One Lakh only) with two sureties for the likesum to the satisfaction of the jurisdictional court.
- b) He shall appear before the court as and when required.

- c) He shall not threaten or allure the prosecution witnesses in whatsoever manner.
- d) He shall not get involved in similar offences.
- e) He shall not leave the jurisdiction of the Trial Court without prior permission of the Trial Court.

Sd/-
JUDGE

*mn/-