

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

DATED THIS THE 28<sup>TH</sup> DAY OF APRIL, 2022

BEFORE

THE HON'BLE MR.JUSTICE MOHAMMAD NAWAZ

CRIMINAL PETITION No.3686 OF 2022

BETWEEN:

SRI. JAGADEESHA,  
S/O. ANANDAPPA,  
AGED ABOUT 26 YEARS,  
AGRICULTURIST,  
R/O. SIDDAPURA VILLAGE,  
CHOWLAHIRIYUR HOBLI,  
ANTHARAGATE POST, KADUR TALUK,  
CHIKKAMAGALURU DISTRICT.

... PETITIONER

(BY SRI. SRINIVASAN S.K., ADVOCATE)

AND:

STATE OF KARNATAKA  
THROUGH STATION HOUSE OFFICER,  
AJJAMPURA POLICE STATION,  
CHIKKAMAGALURU DISTRICT,  
REPRESENTED BY SPECIAL PUBLIC PROSECUTOR,  
HON'BLE HIGH COURT,  
BANGALORE - 560 001.

... RESPONDENT

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

THIS CRIMINAL PETITION IS FILED UNDER SECTION 439 OF CR.P.C., PRAYING TO ENLARGE THE PETITIONER ON BAIL IN CR.NO.79/2022 OF AJJAMPURA P.S., CHIKKAMAGALURU DISTRICT, FOR THE OFFENCES PUNISHABLE UNDER SECTIONS 143, 147, 323, 324, 354B, 504, 379, 307 AND 506 R/W 149 OF IPC ON THE FILE OF THE HON'BLE PRL. CIVIL JUDGE (JR.DN) AND J.M.F.C COURT, KADUR, CHIKKAMAGALURU DISTRICT AND THE PRINCIPAL DISTRICT AND SESSIONS JUDGE, CHIKKAMAGALURU, HAS DISMISSED THE BAIL PETITION ON 06.04.2022 IN CRL.MISC.NO.258/2022.

THIS CRIMINAL PETITION COMING ON FOR ORDERS, THROUGH VIDEO CONFERENCE/PHYSICAL HEARING, THIS DAY, THE COURT MADE THE FOLLOWING:

**ORDER**

This petition is filed by accused No.1 under Section 439 of Cr.P.C.to enlarge him on bail in Crime No.79/2022 of Ajjampura Police Station, Chikkamagaluru District, registered for offences punishable under Sections 143, 147, 323, 324, 354(B), 504, 379, 307, 506 r/w 149 of IPC.

2. Heard the learned counsel for petitioner, the learned HCGP for respondent/State and perused the material on record.

3. The aforementioned case was registered on a complaint lodged by one Asha W/o Ranganatha S.L. The gist of the complaint is that on 25.03.2022 at about 1.30 pm., when the complainant was plucking coconuts in the garden land which was taken on lease by them from one Radhamma, the accused persons, namely the relatives of Radhamma are alleged to have picked up

quarrel with the complainant and her family members and assaulted them with hands, stones etc., and caused injuries to them. In the said incident, complainant is said to have lost her gold neck chain. Further, at about 3.00 pm., the accused hit their motorcycle against the motor cycle of Kumarappa and also caused injuries to Jayamma with a knife etc., and assaulted Kumarappa and Praveen with hands and stones causing injuries to them.

4. The learned counsel for the petitioner has made available a copy of the order granting bail to accused Nos.3 to 5 by this Court in Criminal Petition No.3465/2022 vide order dated 22.04.2022. He has also brought to the notice of the Court that there is a counter case registered against the complainant and others in Crime No.80/2022 of Ajjampura Police Station for offences punishable under Sections 143, 147, 323, 324, 504, 307, 506 r/w 149 IPC.

5. This Court, considering the facts and circumstances of the case and having regard to the nature of allegations and also taking into consideration the counter complaint registered in respect of the very same incident has enlarged accused Nos.3 to 5 on bail. It is relevant to mention that, in the incident even the petitioner has sustained injuries.

6. The petitioner is arrested on 25.03.2022. He has been interrogated and he is not required for further interrogation. He has undertaken to abide by conditions. His further detention in judicial custody is not required. The apprehension of the prosecution can be safeguarded by imposing suitable conditions. Hence, the following:

#### ORDER

Criminal petition is **allowed**. Petitioner / accused No.1 in Crime No.79/2022 of Ajjampura Police Station, Chikkamagaluru District, shall be enlarged on bail subject to following conditions:

- (1) Petitioner shall execute a personal bond in a sum of Rs.1,00,000/- [Rupees One lakhs only] with two sureties for likesum to the satisfaction of the jurisdictional Court.
- (2) Petitioner shall furnish proof of his correct residential address and shall inform the Investigating Officer/Court, if there is change in the address.
- (3) Petitioner shall not leave the jurisdiction of the trial Court without prior permission of the learned Session Judge.
- (4) Petitioner shall not tamper with the prosecution witnesses and shall not give any threat or inducement to the victims in any manner.

(5) Petitioner shall not involve in any criminal activity.

(6) Petitioner shall appear before the trial Court on all dates of hearing.

If any of the above conditions are violated, the prosecution is at liberty to move for cancellation of bail.

**Sd/-  
JUDGE**

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