



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

**DATED THIS THE 27<sup>TH</sup> DAY OF APRIL, 2023**

**BEFORE**

**THE HON'BLE MR JUSTICE T.G. SHIVASHANKARE GOWDA**

**CRIMINAL PETITION NO. 3572 OF 2023**

**BETWEEN:**

1. SRI. MELCO MARSHAL S.,  
S/O. SHADRAK D,  
AGED ABOUT 30 YEARS,  
R/AT: CHRISTIAN LINE,  
TIPPU NAGAR,  
SOMESHWARA PURAM,  
TUMAKURU TOWN AND DISTRICT - 572 102.
2. SRI. SUDHAKHAR N.,  
S/O. NARASIMHAMURTHY,  
AGED ABOUT 25 YEARS,  
R/AT: 3RD CROSS,  
AMBEDKARNAGARA,  
TUMAKURU TOWN AND DISTRICT - 572 102.

Digitally signed by  
MALA K N  
Location: HIGH  
COURT OF  
KARNATAKA

...PETITIONERS

(BY SRI. TEJAS N., ADVOCATE)

**AND:**

STATE OF KARNATAKA BY,  
NAGAMANGALA TOWN POLICE STATION,  
MANDYA DISTRICT - 571 432.

(REPRESENTED BY THE LEARNED  
STATE PUBLIC PROSECUTOR,



HCK, BANGALORE - 01)

...RESPONDENT

(BY SRI. VINAYAKA V.S., HCGP)

THIS CRL.P IS FILED U/S 438 CR.PC PRAYING TO ENLARGE THE PETITIONER/S ON BAIL IN THE EVENT OF THEIR ARREST IN THE CR.NO.22/2022 REGISTERED IN NAGAMANGALA TOWN POLICE STATION, MANDYA DISTRICT, FOR THE OFFENCE P/U/S 143,504,323,324,147,307 R/W 149 OF IPC, PENDING ON THE FILE OF HONBLE CIVIL JUDGE (SR.DN) AND JMFC COURT, NAGAMANGALA, MANDYA DISTRICT AND ETC.,

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

**ORDER**

This petition is filed by the petitioners/accused Nos.3 and 4 under Section 438 of Cr.P.C. seeking anticipatory bail in Crime No.22/2023, registered by Nagamangala Town Police Station, Mandya District for the offences punishable under Sections 143, 504, 323, 324, 147 and 307 r/w Section 149 of IPC.



2. Heard Sri. Tejas N, learned counsel for the petitioners and learned HCGP for respondent-State and perused the records.

3. The main allegation against these petitioners is that, on 21.02.2023 at about 8.00 a.m. petitioners as well as the complainant near S.J.B. lodge at Nagamangala Town quarreled each other at the time of parking their vehicle and they have sustained simple injuries. The complainant has been arrayed as accused in Crime No.21/2023 registered for the offences punishable under Sections 354 (B), 506, 341, 34, 504 and 323 of IPC and in that case, this complainant has been granted bail.

4. Learned counsel for the petitioners contends that in a trivial quarrel between two drivers while parking, both have man handled each other, both the victims in case and counter cases suffered simple injuries, treated as out patients. Petitioners are ready to abide by any conditions.

5. *Per-contra*, learned HCGP contended that the petitioners have committed the offences punishable with imprisonment for life and this act requires a proper



investigation and their custodial interrogation is necessary and they are not entitled for an anticipatory bail.

6. Having regard to the facts and circumstances of the case and the injuries sustained by the complainant and other victims are simple in nature. The petitioners have undertaken to assist for the investigation. The complainant and other victims who are accused persons in Crime No.21/2023 registered for the offences punishable under Sections 354 (B), 506, 341, 34, 504 and 323 of IPC are already released on bail, hence apprehension of the prosecution can be met out by imposing conditions. Hence, the following:-

**ORDER**

- i. The petition is **allowed**.
- ii. The petitioners are ordered to be enlarged on bail in the event of arrest in Crime No. 22/2023 for offences punishable under Sections 143, 504, 323, 324, 147 and 307 r/w Section 149 of IPC., which is pending on the file of Hon'ble Civil Judge (Sr.Dn.) & JMFC Court, Nagamangala, Mandya District on executing a personal bond for a sum of Rs.1,00,000/- with one like bond to the satisfaction of the Investigating Officer.



- iii. The petitioners shall not indulge in tampering the prosecution witnesses either directly or indirectly;
- iv. The petitioners shall not repeat such offences.
- v. The petitioners shall appear before the Investigating Officer within 10 days from the date of receipt of certified copy of this order and assist for the investigation.

**Sd/-  
JUDGE**

MH/-  
List No.: 1 Sl No.: 46