



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF MAY, 2025

BEFORE

THE HON'BLE MR JUSTICE SURAJ GOVINDARAJ

CRIMINAL PETITION NO. 7562 OF 2025 (439(Cr.PC)
/ 483(BNSS)-)

BETWEEN:

DHARAMRAJ ALIAS DARUMAN MURUGASAN
S/O MURUGASAN,
AGED ABOUT 22 YEARS,
R/AT: #236-4, MGR NAGAR,
MITTAPALLI, KRISHNAGIRI,
TAMILNADU-635307.

PRESENTLY R/AT 230,
9TH A CROSS, R.A.ROAD,
INDIRAGANDI SLUM, EJIPURA,
BENGALURU-47.
(IN JUDICIAL CUSTODY)

...PETITIONER

(BY SMT. SWATHI R. BHAT., ADVOCATE)



AND:

STATE OF KARNATAKA BY
VIVEKNAGAR POLICE STATION
REP. BY STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BANGALORE-560001.

...RESPONDENT

(BY SMT. ANITHA GIRISH., HCGP)

THIS CRIMINAL PETITION IS FILED U/S 439 CR.PC (FILED U/S 483 BNSS) PRAYING TO PETITIONER WHO IS ARRAYED AS ACCUSED NO.1 MAY KINDLY BE RELEASED ON BAIL IN CONNECTION WITH CR.NO.01/2024 (S.C.NO.796/2024) PENDING BEFORE THE HONBLE



COURT OF XXVI ADDL. CITY CIVIL AND SESSIONS JUDGE (CCH-20) PERTAINING TO THE VIVEKNAGAR POLICE STATION, FOR THE OFFENCE P/U/S 109, 307, 120B R/W 34 OF IPC AND ETC.

THIS CRIMINAL PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. The petitioner is before this Court seeking for the following relief:

"Petitioner who is arrayed as accused No.1 may kindly be released on bail in connection with Crime No.01/2024 (SC.No.796/2024) pending before the Hon'ble Court of XXVI Addl. City Civil & Sessions Judge (CCH-20) pertaining to the Viveknagar Police Station for the offence punishable under section 109, 307, 120 B r/w 34 of IPC."

2. The proceedings having been initiated against the petitioner in Crime No.1/2024 now SC No.796/2024 pending on the file of the XXVI Addl. City Civil & Sessions Judge (CCH-20).
3. Learned counsel for the petitioner submits that the test identification parade has not been carried out in respect of the petitioner who is accused No.1. On the very same ground a co-ordinate bench of this



Court vide its order in ***Vinsan @ Gunda @ Vinsen.M vs. State of Karnataka dated 23.4.2025 in CrI.P.No.2286/2025*** has allowed that petitioner as regards certain other accused.

4. The petitioner not having been identified by a test identification parade would be entitled to the benefit of the order in Crl.P.NO.2286/2025, as such I pass the following;

ORDER

The criminal petition is ***allowed***.

The petitioner is directed to be enlarged on bail in SC.No.796/2024 pending before the Court of XXVI Additional City Civil and Sessions Judge, arising out of Crime No.1/2024 registered by Viveknagar Police Station, Bengaluru City, for offences punishable under Sections 109, 307, 120B and read with Section 34 of IPC, subject to the following conditions:

- a. The petitioner shall execute personal bond for 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. The petitioner shall appear regularly on all the dates of hearing before the Trial Court unless the Trial Court exempts his appearance for valid reasons;
- c. The petitioner shall not directly or indirectly threaten or tamper with the prosecution witnesses;
- d. The petitioner shall not involve in similar offences in future;
- e. The petitioner shall not leave the jurisdiction of the Trial Court without permission of the said Court until the case registered against him is disposed off.
- f. The petitioner shall furnish his Mobile Number, WhatsApp Number and Email ID (If available) so as to enable him to be contacted if necessary. He is also directed not to change any of the above till completion of the trial.

**SD/-
(SURAJ GOVINDARAJ)
JUDGE**

SR
List No.: 3 Sl No.: 43