



IN THE HIGH COURT OF KARNATAKA

AT BENGALURU

DATED THIS THE 31ST DAY OF JANUARY, 2025

BEFORE

THE HON'BLE MR JUSTICE S VISHWAJITH SHETTY

**CRIMINAL PETITION NO.13573 OF 2024 (439(Cr.PC) /
483(BNSS))**

BETWEEN:

MR. PANDIYAN @ KOTTE S/O RAMU B,
AGED ABOUT 27 YEARS,
R/AT. NO. C-LANE, ANJANAPURA GARDEN,
COTTONPET, BENGALURU-560039.

...PETITIONER

(BY SRI PALLAVA R., ADVOCATE)

AND:

THE STATE OF KARNATAKA
BY COTTONPET PS.,
BANGALORE-560092
REP BY STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BENGALURU-560001

...RESPONDENT

(BY SRI M.R. PATIL, HCGP)

THIS CRL.P IS FILED U/S 439 CR.P.C (U/S 483 BNSS)
PRAYING TO ENLARGE HIM ON BAIL IN CR.NO.474/2015
REGISTERED BY THE COTTON PET POLICE U/S 399 AND 402
OF IPC, PENDING ON THE FILES OF HON'BLE LXVI ADDL. CITY
CIVIL AND SESSIONS JUDGE, BENGALURU (CCH-67) IN
SC.NO.1630/2019.

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by LUCYGRACE
Location: HIGH
COURT OF
KARNATAKA



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

CORAM: HON'BLE MR JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

Accused No.4 in S.C.No.1630/2019, pending before the Court of LXVI Additional City Civil and Sessions Judge, Bengaluru, arising out of Crime No.474/2015, registered by Cottonpet Police Station, Bengaluru City, for the offences punishable under Sections 399 and 402 of IPC, is before this Court under Section 439 of Cr.P.C. seeking regular bail.

2. Heard learned counsel for the parties.

3. Learned counsel for the petitioner submits that the petitioner is in custody from 30.10.2023 onwards. All other accused persons, who were tried in the present case have been acquitted in S.C.no.416/2016 and as against the petitioner a split up case was registered. In the said case, the petitioner has been arrested and he is in judicial



custody. He submits that petitioner's wife had given birth to a child on 24.10.2023 and six days thereafter, he was arrested in the present case. Accordingly, he prays to allow the petition.

4. Per contra, learned High Court Government Pleader has opposed the petition. He submits that with difficulty, presence of the petitioner has been secured and he is involved in another criminal case. Accordingly, he prays to dismiss the petition.

5. The petitioner has been charge sheeted in the present for the offences punishable under Sections 399 and 402 of IPC and the said offences are not punishable with death or with life imprisonment. The other accused persons who were tried for the alleged offences in the present case in S.C.No.416/2016 have been acquitted by judgment and order of acquittal dated 05.04.2023. The petitioner is in custody from 30.10.2023 onwards. Considering the aforesaid aspects of the matter, I am of the opinion that petitioners' prayer for grant of regular bail



requires to be answered affirmatively. Accordingly, following order is passed:

ORDER

The petition is allowed.

The petitioner/accused No.4 is directed to be enlarged on bail in Crime No.474/2015 of Cottonpet Police Station, Bengaluru City, registered for the offences punishable under Sections 399 and 402 of IPC, pending on the file of learned LXVI Additional City Civil and Session Judge, Bengaluru in S.C.No.1630/2019, subject to the following conditions:

a) Petitioner shall execute personal bond for a sum of Rs.1,00,000/- with two sureties for the likesum, to the satisfaction of the jurisdictional Court;

b) 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) Petitioner shall not directly or indirectly threaten or tamper with the prosecution witnesses;
- d) Petitioner shall not involve in similar offences in future;
- e) 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.

**Sd/-
(S VISHWAJITH SHETTY)
JUDGE**

SRT
List No.: 19 Sl No.: 5
CT:PK