

KABR010007472026



**IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS
JUDGE, BENGALURU RURAL DISTRICT, BENGALURU.**

Dated this the 02nd day of April, 2026

PRESENT:

Smt. B.S. Rekha, B.A.(Law), LL.M.,
Principal District & Sessions Judge,
Bengaluru Rural District,
Bengaluru.

Crl.Misc.No.473/2026

Petitioner : Ansar, S/o Abdul Kareem,
Aged about 34 years,
R/at: No.223, 1st Cross,
3rd Main, 3rd Cross,
Subhash Nagar, Begur,
Bengaluru-560 068.

By Sri M. Srinivasaiah-Advocate.

Vs.

Respondent : State of Karnataka by
Electronic City Police Station.

*Represented by
learned Public Prosecutor.*

ORDERS ON APPLICATION U/S.439(1)(b) OF CR.P.C.

The learned counsel for petitioner has filed this petition under S.439(1)(b) of Cr.P.C. praying to relax/modification of condition i.e. *'furnishing two sureties and personal bond of ₹.1,00,000/-'* imposed by this court vide order dated 21.02.2023 in Crl. Misc. No.2647/2023 and permit him to furnish reasonable/nominal cash surety for his lifetime or likesum for his release on bail, in the interest of justice.

2.1. It is stated in the petition that this court had granted bail to the petitioner in Crl. Misc. No.2647/2023 by granting condition that, the petitioner is ordered to be released on bail in Crime No. 421/2023 of Electronic City police station registered for the offences punishable under Sections 504, 307 and 324 of IPC, on his executing a personal bond for a sum of Rs.1,00,000/- with two sureties each for like sum to the satisfaction of the learned Magistrate in the event of his arrest in Crime

No.421/2023 of Electronic City police station subject to the following conditions:

- 1) The petitioner is directed to appear before the Investigating Officer once in 15 days on Sundays between 10.00 a.m., and 1.00 p.m., without fail till filing of the charge sheet/ final report, or for a period of 90 days or on earlier date.
- 2) The petitioner shall not threaten or tamper with the prosecution witnesses, in any manner.
- 3) The petitioner shall not involve in commission of similar offences.

2.2. It is further stated that the petitioner is doing coolie job for his livelihood by daily wages and also sometimes, he is driving hire auto for livelihood and accordingly, he is unable to arrange two sureties and as such, for the economically weaker sections, he has requested for modification of the condition. The respondent police has submitted the charge-sheet and committed the case before this court. In view of the petitioner coming from a weaker section community, for the purpose of natural justice, it is necessary to grant

an opportunity to determine on the alleged offences between the complainant police and the petitioner. Hence, prayed for allowing the petition.

3. The learned Public Prosecutor files objections to this petition stating that it is not maintainable in law. In the petition, the petitioner had stated that he would agree the terms and conditions that may be imposed by this Court, but now, he is praying for its relaxation which is not proper. Hence, prayed for rejection of this petition.

4. Heard arguments of both sides.

5. From the above facts, the point that arises for consideration is:-

“Whether the petitioner is entitled for relaxation of the condition imposed in Crl. Misc.No.2647/2023?”

6. Finding of this Court on the above point is in ***Affirmative***, for the following:

REASONS

7. On perusal of records, it is noticed that this court has passed the bail order on behalf of the petitioner and he was directed to execute a personal bond for a sum of ₹.1,00,000/- with two sureties for likesum to the satisfaction of the learned Magistrate.

8. Under Section 439(1)(b) of Cr.P.C., this Court has got jurisdiction to modify the conditions imposed while granting bail.

9. It is the contention of the petitioner that he is ready to deposit cash security amount in lieu with two sureties as he is unable to arrange two sureties.

10. It is stated that non-compliance of the order is not intentional, but for the aforesaid bonafide reasons. Thus, the above reason assigned for relaxation of condition appears to be true.

11. As per the guidelines of Hon'ble Supreme Court, in recent judgments and the circulars issued by the Hon'ble Supreme Court and Hon'ble High Courts, in the case of present nature, the court may exercise its discretion and the condition mentioned in the bail petition could be modified. Accordingly, the point under consideration is answered in ***Affirmative*** and this court proceeds to pass the following:

ORDER

The petition filed U/S.439(1)(b) of Cr.P.C. on behalf of petitioner is hereby ***allowed***.

The condition of furnishing two sureties and personal bond of ₹.1,00,000/- is hereby modified as follows:

The petitioner is directed to be released on bail on furnishing **cash security of ₹.50,000/-**.

The other conditions imposed in
Crl.Mis.No.2647/2023 are intact.

(Dictated to the Stenographer, transcribed and typed
by her, corrected, print out taken, signed and pronounced by
me in the open Court on this the 02nd day of April, 2026.)

(B.S. Rekha)
Principal District & Sessions Judge,
Bengaluru Rural District,
Bengaluru.