

**IN THE COURT OF THE SENIOR CIVIL JUDGE AND  
J.M.F.C. AT N.R.PURA, ITINERATE AT KOPPA.**

**Present:** Sri Raghunatha Gowda K.T., B.Com.,L.L.B,  
Senior Civil Judge & J.M.F.C.AT. N.R.Pura, Itinerate at  
Koppa.

**Dated this the 07<sup>th</sup> day of March, 2026**

**C.C. No.82/2025**

N.R.Pura Police Station

...Complainant

(By Assistant Public Prosecutor)

-Versus-

Sri. Gangadhar, S/o. Prakash,  
Aged about 29 years,  
R/at. Dodda Malavadi, Kunigal Taluk  
Tumkur District.

... Accused No.3

(By Sri.S.P., Advocate for accused No.3)

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**ORDER ON BAIL APPLICATION FILED UNDER SECTION  
437 OF Cr.P.C.**

The learned counsel for the accused No.3 has filed this bail application under Section 437 of Cr.P.C. stating that the N.R.Pura Police have registered the case against the accused No.3 in C.C No.82/2025 for the offences punishable under Section 35, 37, 201,



417, 419, 406, 420, 120(b), 323, 506, R/w Sec.34 of I.P.C.

2. It is the contention of the learned counsel for accused No.3 in the bail application that accused No.3 is innocent and he has not committed any offences as alleged by the police and the police have falsely implicated the accused No.3. Further he contended that the alleged offences are not punishable with death or imprisonment for life. Further he is only earning member of their family and he undertake that he has appear before the Court all dates of hearing and also ready to furnish surety for the satisfaction of this court. Hence he prays to allow the said application.

3. Per contra learned A.P.P. filed the objection to the said bail application and contended that prima-facie accused No.3 committed the offences and investigation Officer filed charge sheet against accused No.3. Further the accused No.3 has not shown any sufficient grounds to allow the bail application. Further the incident occurred in the year 2017, the accused No.3 is absconding from date of offence and other accused persons are also absconded and the Hon'ble Sessions Court rejected the anticipatory bail filed by the accused No.3 in CrI.Misc.No.71/2026.



Further the accused No.3 is released, their is chances to absconding other accused persons and he left the Jurisdiction of this court, he may also threatened the prosecution witnesses and also committed the similar offences. Hence, he prays to reject the bail application.

4. Heard the arguments on both sides.

5. On perusal of the records of the case, the following points would emerge for my consideration:

1. Whether the bail application filed by the accused No.3 deserves to be allowed?

2. To what order?

6. My findings on the above points are as under:

Point No.1: In the Negative.

Point No.2: As per final order  
for the following:

### **REASONS**

7. **Point No.1:** The N.R.Pura Police registered the case against the accused No.3 and other persons in Cr.No. 28/2017 for the offences punishable under



Section 35, 37, 201, 417, 419, 406, 420, 120(b), 323, 506, R/w Sec.34 of I.P.C.

**8. The gist of the prosecution case as under;**

As per complaint avernments that after september 2016 till 19.12.2016 one Nandan who is accused No.2 had approched the complainant and instigated him to deal with him with regard to rice pulling machine which is worth crores of rupees, accordingly the complainant has invested the money, the accused No.2 has introduce one Vijay Kumar and both of them took him to Sadguru Sevashrama, Hosadurga for taking approval from god.

9. Further as per prosecution case that the complainant had trust and by saying the god had approved, took his signature to bond paper, after one week the accused persons informed him to invest the amount altogether, as such believing the words the complainant had agreed to invest the amount, on 20.01.2016 at Lalith Ashok Hotel at Bengaluru introduce one Mohammed Rafeeq and he had given an amount of Rs.24,00,000/-, on 28.10.2016 he had given an amount of Rs.50,50,000/- and on 19.12.2016 he had given Rs.20,00,000/- to Mohammed Rafeeq in



the presence of Accused No.3 and 4 and they have hatching criminal conspiracy to committ the offence and they have cheated the complainant and based on the complaint the N.R.Pura Police registered the case against the accused persons for the aforesaid offence.

10. The learned counsel for the accused No.3 argued that this court has got jurisdiction to entertain the bail application and the alleged offences against the accused No.3 is not punishable with death or life imprisonment. Hence, he prays to allow the said bail application.

11. Per contra, the learned A.P.P. argued that alleged offences against accused No.3 and other accused persons are abconded since from date of offence the accused No.3 is absconded now he was secured. Henc, he is not entitled for bail. Hence, he prays to reject the bail application.

12. On rival contention raised by both the Counsels and materials available on record, it clearly reveals that, N.R.Pura Police have registered the case against accused persons in their police station in Crime No.28/2017 for the offence punishable under Section Section 35, 37, 201, 417, 419, 406, 420,



120(b), 323, 506, R/w Sec.34 of I.P.C. Further after investigation the final report was filed and same was registered in C.C.No.271/2020. Thereafter inspite of service of summons and issuance of warrant the accused No.3 and other four persons are absconded and this court split up the case against those persons and separate present C.C. number was given. Further since from 2017 to the accused No.3 was absconded and on 03.03.2026 the warrant was executed to accused No.3 and produced before the court.

13. On perusal of entire record from date of alleged offene the accused No.3 and other persons are absconded, inspite of issuance of NBW. Admitted the alleged offence against accused No.3 and other persons triable by this court only. However while exercise of discritionary power the court can looking into the entire materials and conduct of the accused No.3 also. Further, if the accused No.3 is released on bail certainly their is chances for other remaining accused persons are faraway to the jurisdiction of this court and their is chances to threaten the prosecution witnesses.

14. On careful persual of the entire record prima facie it discloses that the accused No.3 has not made



out any sufficient ground or valid reason assign to allow the bail application and the accused No.3 and other persons are fraudulantly obtaining huge amount from the complainant thereby cheated and the investigation officer submitted the charge sheet and also he seeking permission to filed supplementary charge sheet after traceout of the accused persons who are absconded. At this juncture there is no sufficient ground to allow the bail application. Hence for the above said reasons, I answer **point No.1 in the Negative.**

15. **Point No.2:** In view of my discussion made supra, I proceed to pass the following:

**ORDER**

The bail application filed by the accused No.3 under Section 437 of Cr.P.C., is hereby rejected.

(Dictated to the Stenographer, transcribed by him, corrected and then pronounced by me in the Open Court on this the 07<sup>th</sup> day of March, 2026.)

Sd/-xxx  
(Raghunatha Gowda K.T)  
Senior Civil Judge and J.M.F.C.,  
N.R.Pura, Itinerate at Koppa.