

Accused No.2 and 3 are absent. EP filed. Perused and Accepted.

Accused 4 present. Sri. KCC, advocate filed vakalath on behalf of Accused No.4 and filed bail application U/Sec. 437 of Cr.P.C. and filed application U/sec.70(2) of Cr.P.C. To recall the warrant and also filed application U/Sec. 445 of Cr.P.C.

APP filed objections to bail application.

Heard the arguments on bail application. Orders kept by.

ORDER ON BAIL APPLICATION UNDER SECTION 437 OF Cr.P.C. FILED BY ACCUSED NO.4.

This is an bail application filed by Accused No.4 under Section 437 of Cr.P.C. praying him to enlarge on bail for the offences punishable under Section 379 of IPC.

2. It is stated in the application that the above said accused is not committed any of the offences and he is innocent of the offences as alleged by the complainant police. He is only earning member of family of in and permanent

resident of in the locality and there is no chance of absconding and he shall undertake to appear before the court on all dates of hearing and prayed to allow the bail application.

3. The learned APP filed her objections to the bail application contending that prima-facie it appears that the above said accused No.4 is committed offence and if he is released on bail, he may commits similar offences and may tamper with the prosecution witnesses and may abscond from the jurisdiction of this court. Amongst other grounds prayed to reject the bail application.

4. Heard the arguments on the both sides and perused the records placed before the court.

5. The points that arise for my consideration are as follows :-

Point No.1 : whether the accused No.4 has made out sufficient grounds to allow the bail application?

Point No.2: What order?

6. My answer to the above points are as follows:-

Point No.1 : In the affirmative

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

REASONS

7. **POINT No.1:** Admittedly now the complainant police has filed charge sheet against the accused persons and the case is set down for charge. Such being the stage of the case, if the accused No.4 is remanded to custody, no purpose of the prosecution would be served. On the other hand, the apprehension of the prosecution can be met by imposing certain stringent conditions as the accused himself is ready to abide by the conditions imposed by this court and more over the offences alleged against the accused No.4 though non-bailable in nature, is exclusively triable by this court and the same is not punishable

with death or imprisonment for life. Hence, I answer point No.1 in the affirmative.

8. **POINT No.2** For the reasons given above, I proceed to pass the following :-

ORDER

The bail application filed by accused No.4 under Section 437 of Cr.P.C is hereby allowed subject to following conditions:

1. That the accused No.4 shall execute personal bond for sum of Rs.10,000/-
2. That the accused No.4 shall not tamper with witnesses. the prosecution
3. That the accused No.4 shall appear before the court on all dates of hearing.
- 4 That the accused No.4 shall not leave the jurisdiction of this court without prior permission.

Further the accused counsel filed application U/sec.445 of Cr.P.C to permit the accused No.4 to deposit the cash security instead of surety.

Perused the application and reasons stated in the application is

satisfied and permitted to accused No.4 to deposit the cash security amount of Rs.4000/-instead of furnishing surety.

Office is directed to take bond and collect cash security of Rs.4000/- from accused No.4.

Further, the accused No.4 filed application U/sec.70(2) of Cr.P.C to recall the warrant against accused.

Heard and perused the contents of application and reasons satisfied. Hence, warrant against accused No.4 is recalled. Call on for charge by 29.10.2025.

Sd/-

C/c Civil Judge & JMFC, Sringeri.