

Dated 21.12.2023

**ORDER ON BAIL APPLICATION FILED U/S 439 CrPC BY THE
ACCUSED No.1**

This bail application is filed by the accused U/s.439 CrPC praying for enlarging her on bail.

2. According to the accused, police have registered case against her for the offences punishable U/s. 504, 323, 307, 354(B), 506 r/w 34 of IPC. This accused is the innocent of the charges leveled against her and she is ready to abide by any conditions imposed by this Court. Hence, prays for allowing the bail application on several other grounds.

3. The learned Spl.Public Prosecutor has filed objection to this application narrating the complaint averments and stating that the offences alleged against the accused are heinous in nature. Police have already filed charge sheet against the accused. If the accused is released on bail, it is likely that she may commit similar type of offence. Hence, prays for rejecting the bail application on several other grounds.

4. Heard both sides.

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

- (1) Whether the accused No.1 has made out any grounds for releasing her on bail ?
- (2) What order?

6. My findings to the above said points are as under:

Point No.1 : In the Affirmative
Point No.2 : As per the final order for the
following :

: REASONS :

7. **Point No.1** : This accused is taken to JC since she has jumped from the bail and warrant was issued against her. This accused was already on bail earlier. Therefore considering the nature of the offence alleged against the accused and by giving oral warning in the open court to the accused not to involve in any further offence since Public prosecutor has already filed application for cancellation of the bail application in CrI.Misc. 404/2023 since she has violated the conditions, I feel it necessary to release the accused with conditions. Hence I answer point No.1 in the Affirmative.

8. **POINT NO.2** : In view of answering the point No.1 in the affirmative, I pass the following:

ORDER

The bail application filed by the accused No.1 under Sec.439 CrPC., is allowed.

The accused No.1 is ordered to be released on bail on executing personal bond for a sum of Rs.1,00,000/- with two surety for the like sum to the satisfaction of the Court, on the following conditions:-

1). The accused No.1 shall not tamper the witnesses.

2). The accused No.1 has to appear before the Court properly in all the dates of hearing without fail.
To furnish surety by 26.12.2023

(Dictated to the Stenographer in the open Court on 21.12.2023 by pronouncing the same and thereafter same was typed by him and corrected by me and signed by me.)

(B.S.BHARATHI)

Prl.District and Sessions Judge,
Chamarajanagar