

**ORDER**

Sri. KDN Advocate has filed Vakalath on behalf of accused No.1 to 4 and bail application u/sec. 437 of Cr.PC along with certified Copy of order passed by the Hon'ble I Addl. District and Sessions Court, Mandya in Crl. Misc No.1150/2022 dated: 15.12.2022.

2. In the bail application, it is stated that the accused No. 1 to 4 are innocent and law abiding citizen, They have not committed any offences alleged, They hails from respectable family, their detention will cause to great hardship to their family. It is further stated that the accused No. 1 to 4 are prepared to abide by the conditions imposed by this Court and is prepared to furnish surety for their appearance before the Court. Hence it is sought for allowing the bail application.

3. The learned APP filed objection for this application. It is contended that, the offences alleged against the accused No. 1 to 4 are punishable U/s 406, 408, 420, 424, 504, 506 r/w/s. 34 of IPC. If the accused No. 1 to 4 are released on bail there is a every chance that they may again commit similar type of offences. There is threat of coercion and inducement of prosecution witnesses. If they are released on bail they may remain absent and consequently it would protract the proceedings. On the said grounds prayed to reject the bail application.

4. Heard the arguments by the Learned Counsel for accused No. 1 to 4 and the Learned A.P.P for State.

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

- i. Whether the accused No 1 to 4 are entitled for bail?
- ii. What order?

6. My findings on the said points are :

Point No.1 : In the "Affirmative".

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

### **REASONS**

7. POINT No.1:-In this case, the offences alleged against the accused No. 1 to 4 are punishable U/s 406, 408, 420, 424, 504, 506 r/w/s. 34 of IPC.

8. Perused the records. The accused No. 1 to 4 have undertaken to abide by the conditions that may be imposed by this Court. Moreover, the accused No. 1 to 4 are already enlarged on bail from the Hon'ble I Addl. District and Sessions Court, Mandya in CrI. Misc No.1150/2022. It is well settled law that once granted bail is ever bail. Upon considering the facts and circumstances and the decision of the Hon'ble Supreme Court of India in the case of *Sushila Aggrawal and others v. State (NCT of Delhi) and another in SLP(Criminal) No.7281-7282/2017 Dated: 29.01.2020*, I'm of the view that the application of the accused No. 1 to 4 have to be allowed on the same conditions imposed by the Hon'ble I Addl. District and Sessions Court, Mandya in CrI. Misc No.1150/2022. Hence I answer point No.1 in the affirmative.

9. Point No.2: In the light of aforesaid observations, I proceed to pass the following :

### **ORDER**

The bail application filed by the accused No. 1 to 4 U/sec. 437 Cr.P.C. is allowed. The accused No. 1 to 4 personal bond of Rs. 2,00,000/- each with two sureties for the like sum subject to the following conditions:

1. They shall not tamper with the prosecution witnesses in any manner.

2. They shall co-operate with the Court as well as Investigating Officer.
3. They shall not involve in any other criminal activities.

For furnishing Surety Call on 02.03.2024.

Sd/-  
Senior Civil Judge & JMFC  
Malavalli.

