

ORDER ON THE APPLICATION

FILED U/Sec.457 of CR.P.C

This is the case in which the Police have filed the Charge-Sheet against the Accused for the offence U/Sec.306 of IPC and U/Sec.3 and 4 of the Karnataka Prohibition of Charging Exorbitant Interest Act and U/Sec. 5 and 39 of Karnataka Money Lenders Act, in which the Applicant namely Savitha Mallesh has filed application U/Sec.457 of Cr.P.C seeking to release the Registered Gift Deed executed by the Applicant's father by name K.P.Mallesh in her favour and Blank Cheques, promissory note, blank Stamp Papers signed by the Applicant, the RTCs and encumbrance seized by the Police under PF No.79/2015 in which the Applicant has contended that during investigation the Police have seized the Gift Deed and other documents. The Applicant is in need of the said documents to obtain the loan from Bank, said documents are belonging to the land of the Applicant. Further, she undertakes to produce those documents before the Investigating Officer or before the Court whenever directed and she is ready to

furnish surety for the release of the said documents and she undertakes to abide by the conditions that may be imposed by the Court. Hence, she requested for allowing the application.

To this application the learned Public Prosecutor has filed the objection stating that the documents in question are very much required for conducting the trial. If the same are released in favour of the Applicant it may cause delay in conducting the trial. Therefore, the application of the Applicant is liable to be rejected.

On perusal of the application of the Applicant it appears that the documents in question are Gift Deed, Bank Pass Book, Cheques and RTCs, hence the Applicant may obtain the certified copies and use the same for the alleged transactions. Furthermore, this is the matter of 2019 and already the trial has been commenced and in case if the said documents are released in favour of the Applicant, there is every possibility of causing delay in conducting the trial. Hence, the application filed by the Applicant is liable to be rejected. Hence the following :-

ORDER

The application filed by the Applicant namely Smt.Savitha Mallesh U/Sec.457 of Cr.P.C. is ***Rejected.***

**IV Addl. District & Sessions Judge,
Mysuru.**