

**ORDERS ON BAIL APPLICATION
FILED BY THE ACCUSED No.6**

The accused No.6 filed this application seeking an order of bail and contends that, earlier the crime was registered for the offences punishable under Section 384, 387, 504, 506, 507, 120(B), 201 r/w Section 34 of I.P.C. and this accused No.6 was granted bail. During the course of investigation, the provisions of KCOCA Act are inserted and subsequently the prosecution filed an application for cancellation of the bail and the learned Magistrate allowed the application and cancelled the bail. Subsequently, the accused No.6 filed bail application in this case and the same came to be dismissed on 04.11.2019. This accused also approached the Hon'ble High Court of Karnataka by filing an application under Section 482 of Cr.P.C., to set aside the order of the Addl. Civil Judge and JMFC, Udupi dated 09.04.2019 cancelling the bail of the accused and the same was also dismissed. Now, the accused No.6 is in judicial custody and he undertakes to appear before the Court regularly. No overt acts are alleged against this accused and he is ready to abide the conditions imposed by the Court.

The learned Public Prosecutor filed objections to the bail application and contends that, since the bail granted to the accused No.6 was already cancelled and even the Hon'ble High Court of Karnataka refused to interfere with the cancellation of the bail, the question of granting bail to the accused No.6 once again will not arise for consideration.

Heard the arguments. Perused the records.

On perusal of the records, the accused No.6 himself has produced the Orders passed in Criminal Petition No.6730/2020, wherein

the Hon'ble High Court of Karnataka has rejected the application filed by this accused seeking an order to quash the Order of the Addl. Civil Judge and JMFC, Udupi cancelling the bail. The Hon'ble High Court of Karnataka after considering the facts in detail, rejected the prayer of the petitioner/accused No.6 not only to set aside the order of the Addl. Civil Judge and JMFC, Udupi in cancelling the bail and also refused to grant bail to the petitioner.

Now, no special grounds or any other mitigating circumstances are shown by the accused No.6 to grant an order of bail. Since the bail application of this accused No.6 is already rejected by the Hon'ble High Court of Karnataka, the question of considering the bail application of accused No.6 on the same grounds will not arise for consideration. More over, the facts of the case prima facie show about the involvement of this accused No.6 in respect of the alleged offences and even on merits also, the bail application of the accused No.6 is already came to be rejected by this Court also. Accordingly, I proceed to pass the following:

ORDER

The bail application filed by the accused No.6 is rejected.

P.S.J. & Special Judge,
Mysuru.

Spl. C. No.366/2019