This case taken on board upon the advance application.

Accused is present.

Sri.M.N., learned counsel for the accused has filed Vakalath on behalf of the accused along with bail application under section 436 of Cr.P.C and prays to enlarge him on bail.

Learned counsel for the accused has filed an application under Sec.70(2) of Cr.P.C., seeking cancellation of warrant issued against the accused.

Heard and Perused.

The reasons stated in the applications are satisfied. Last 01 hearing date the accused has been absent and the warrant has been issued against him, it is necessary to allow the application by imposing the penalty.

Hence, the application filed under Section 70(2) Cr.P.C. is allowed on penalty of Rs.100/-.

Consequently, the warrant issued against the accused is canceled.

Issue intimation to the concerned Police about the cancellation of the warrant issued against the accused.

ORDERS ON BAIL APPLICATION U/SEC.436 OF CR.P.C.

In the bail application it is contended that, accused has not committed any offence alleged against him and he is the innocent, law abiding citizen and peace loving person. Further contended that, accused is the only earning member in his family. Accused and his family members will be put to untold hardship and inconvenience if he is not enlarged on bail. He is ready to furnish the surety to the satisfaction of the Court for his release on bail. Hence, prays to allow the bail application and release the accused.

Heard. Perused the bail application and documents available on record.

The offence alleged against the accused is punishable U/Sec.138 of N.I. Act. The offence alleged is bailable in nature and triable by this Court and is not punishable either death or life imprisonment. The accused is entitled for a bail as a matter of right. Hence, I feel it is just and proper to allow the bail application and proceed to pass the following:-

ORDER

The bail application filed by the accused U/Sec.436 of Cr.P.C. is **allowed** subject to the following conditions:-

1. The accused shall execute the personal bond for Rs.50,000/- with one surety for the like sum.

2. The accused shall appear before the Court regularly.

Surety by name Sri.K.Shivanna S/o. Kempanna, Aged about 64 years, R/o. No.192, Lingayatara Street, Near Urkatheswari Temple, Ummattur Village, Chamarajanagara Taluk & District, is present and stood himself as a surety to enlarge the accused on bail. He has filed affidavit, declaration affidavit, R.T.C extract of his land bearing Sy.No.262/3B, measuring 30 guntas, situated at Ummattur Village, Santhemarahalli Hobli, Chamarajanagara Taluk and also produced copy of aadhaar card.

The surety is accepted for the release of accused on bail.

Office to take bond.

For plea.

Call on:

Addl. Civil Judge & J.M.F.C.,
T.Narasipura.