

**: ORDERS ON BAIL APPLICATION U/s 437
OF Cr.P.C. :**

Sri.B.S., Advocate for accused No.2 has filed bail application U/sec.437 of Cr.P.C by urging the ground that, the complainant police have registered a case against the accused No.2 for the alleged offences punishable under Section 457 and 380 of I.P.C. Further accused No.2 is innocent and law-abiding citizen he is not committed the alleged offences much less any offences. A false case is registered against him with an intention to spoil he reputation in the eye of public. The above accused is coming from respectable family. The above accused is permanent resident Hittavalli village, Kasaba Hobli, T.Narasipura Taluk, Mysuru District and he is not at all involved in the alleged offences, and no where concern the above said offences. The alleged offences are non-bailable but it is not punishable for life imprisonment or death penalty and alleged offences liable by this Hon'ble court. The accused No.2 undertakes that he is not flee away from the justice nor abscond from the trial and also undertakes not to tamper with the prosecution witness. The accused N.2 has obtained anticipatory bail from Hon'ble I Addl. District and Sessions Judge Court at

Mysuru in CrI.Mis.No.229/2022 dated 19.02.2022. The accused No.2 is only earning members of his family. He is got old aged parents. He undertakes to appear before this Hon'ble court on all the dates of hearing without fail and also and accused No.2 ready to offer the surety for the satisfaction of the Hon'ble court and abide by any of the conditions. Hence they prays to enlarge him on bail.

2. The learned APP orally objected to said bail application.

3. Heard and perused the materials available on record.

4. The following points that arises for my consideration:

1. Whether the accused No.2 is entitled for bail ?

2. What order ?

5. My answer to the above points is as under :

Point No.1 : In the affirmative

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

REASONS

6. **Point No.1** : On perusal of the materials on record it reveals that, the PSI of Bannuru Police Station, T.Narasipura have registered the case against the accused No.2 the offences punishable under Section 457 and 380 of I.P.C. Further the accused No.2 has been enlarge an Anticipatory Bail passed in CrI.Misc.No.229/2022 dated 19.02.2022 by the Hon'ble I Addl. District & Sessions, Judge, Mysuru. As such, under these circumstances discretionary of granting of bail can very well be exorcising in favour of the accused No.2 and the apprehension of the prosecution can be met with by imposing strengthen conditions. Therefore, my finding to above ***point No.1 in the Affirmative.***

7. **Point No.2:** In view of my answer to the point No.1, I proceed to pass the following;

: O R D E R :

The bail application filed by the accused No.2 U/sec. 437 of Cr.P.C is hereby allowed.

The accused No.2 is enlarge on bail by executing personal bond for

Rs.1,00,000/- with two sureties for like sum, with the conditions as per order passed by the Hon'ble I Addl. District & Sessions Judge, Mysuru in CrI.Misc.No.229/2022 dated 19.02.2022.

**Civil Judge & JMFC,
T.Narasipura.**

In compliance of the said order surety by name Siddaiah, S/o. Madaiah, aged about 60 years, R/at. Hebbadi village, Srirangapatna Taluk, Mandya District, is present and offered his surety to the accused No.2 and produced Surety Affidavit, Declaration Affidavit, RTC extract of land bearing Sy.No.350/YP10 measuring 2 acres 10 guntas, situated at Hebbadi village, Srirangapatna Taluk, Mandya District and copy of Aadhar card. (The value of the property Rs.10 lakh).

Another surety by name Puttaswamy, S/o. Manchaiah, aged

about 50 years, R/at. Hebbadi village, Srirangapatna Taluk, Mandya District, is present and offered his surety to the accused No.2 and produced Surety Affidavit, Declaration Affidavit, RTC extract of land bearing Sy.No.372/2 measuring 0.25 guntas, situated at Hebbadi village, Srirangapatna Taluk, Mandya District and copy of Aadhar card. (The value of the property Rs.5 lakh).

On perusal of affidavits and documents, they are found to be satisfactory. Hence their surety ship is accepted.

Hence office is directed to take personal bond and surety bond of accused No.2.

**Civil Judge & JMFC,
T.Narasipura.**