

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

Sri.S.H.R., Advocate for accused No.3 has filed bail application U/sec.437 of Cr.P.C by urging the ground that, the accused No.3 is falsely implicated for the alleged offences punishable under Section 457 and 380 of I.P.C. He is innocent of the alleged offences. The alleged F.I.R does not reveals the prima-facie case against the accused No.3. The accused No.3 has obtained anticipatory bail from Hon'ble I Addl. District and Sessions Judge Court, Mysuru in Crl.Mis.No.235/2022 dated 19.02.2022. Further accused No.3 is law-abiding citizen and undertakes to abide by the conditions of this court and to appear before the court on all hearing dates and whenever directed. He is offering surety for the satisfaction of this court. The alleged offences are not punishable with death or life imprisonment and on the other hand the offences are triable by this court. Hence 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.3 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.3** : 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.3 the offences punishable under Section 457 and 380 of I.P.C. Further the accused No.3 has been enlarged an Anticipatory Bail passed in CrI.Misc.No.235/2022 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.3 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.3:** 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.3 U/sec. 437 of Cr.P.C is hereby allowed.

The accused No.3 is enlarged 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 Crl.Misc.No.235/2022 dated 19.02.2022.

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

In compliance of the said order surety by name Chikka Thammaiah @ Chikka Thammaiahppa, S/o. late Madappa @ Madegowda, aged about 69 years, R/at. Hittuvalli village, Kasaba Hobli, T.Narasipura Taluk, is present and offered his surety to the accused No.3 and produced Surety Affidavit, Declaration Affidavit, RTC extract of land bearing Sy.No.133/1B measuring 0-16 guntas, situated at Hittuvalli village, Kasaba Hobli, T.Narasipura Taluk and copy of Aadhar card. (The value of the property Rs.5 lakh).

Another surety by name Mallikarjuna, S/o. late Marananjappa, aged about 66 years, R/at. Hittuvalli village, Kasaba Hobli, T.Narasipura Taluk, is present and offered his surety to the accused No.3 and produced Surety Affidavit, Declaration Affidavit, RTC extract of land bearing Sy.No.61/1 measuring 0.6 guntas, situated at Hittuvalli village, Kasaba Hobli, T.Narasipura Taluk and copy of Aadhar

card. (The value of the property Rs.2 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.3.

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

NBW against accused No.3 is Re-called.

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