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Case advanced. Accused by Rudrayya S/o Basayya Swamy, Age 33 yrs, Occ: Business, R/o. Ward No. 2 House of Basavaraj Jalahalli Tq. Devadurga, Dist. Raichur,, has been produced before me on 26-03-2025 at 4.00 p.m in the Open court, through P.C No. 263 Mounesh of Devadurga PS along with NBW executed against accused and other enclosures.

On being questioned the accused he has not complained any harassment or ill treatment by the police and he submitted that he is arrested on 26-

03-2025 at 9.00 a.m at Devadurga bus stand.

On enquiry the accused submits that arrest has been inform to his family members and accused has been medically examined.

Perused the complaint. The alleged offence is punishable U/s. 138 of NI Act. The said offence are bailable in nature. But on perusal of the order sheet Accused has not appeared after taking cognizance. The accused has paid Rs. 1,50,000/- to complainant by phone pay and orally under take Rupess 1,00,000/- within one week. The submission is noted and accepted.

Sri S.P. advocate seeks permission to obtain signature of accused on vakalath permitted. Files vakalath and filed bail application U/s. 436 of CrPC on behalf of accused and praying the court to release him on bail that he is innocent and poor person and he has not committed any offences. He is ready to abide bail conditions. On this ground the accused person has prayed for bail,

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Perused the bail application.

On the basis of the above points, the points that would arise for my consideration is as under:

1. Whether the accused is entitled for bail?

For the reasons state below, the above point is answered in the affirmative.

REASONS

The alleged offences are exclusively tribal by this court and offence U/s. 138 of N.I. Act, is - bailable offence but it is not punishable with imprisonment for life or death sentence. He has under taken to abide the bail conditions. Therefore, this court is of the opinion that with proper conditions the accused released on bail. Hence, I proceed to pass the following.

:ORDER:

Bail application filed by accused U/section 436 of CrPC is hereby allowed and he shall be released on bail on his executing personal bond for Rs. 25,000/- with a surety for like sum.

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- 1)** He shall appear before the Court regularly on all the hearing dates.
- 2)** He shall not tamper/threaten with prosecution witness.
- 3)** He shall not commit offence of similar nature.

Accused counsel filed application under section 445 of Crpc to permit to deposit cash surety amount of Rs.5,000/- before the court. Since the offences are bailable in nature cash surety held sufficient and accepted. Application is allowed.

Counsel permitted accounts section is directed to receive the cash surety amount of Rs. 5000/-. Office is directed to take bonds of the accused Call on hearing date.

Call on hearing date.

Sd/-

Civil Judge & JMFC.,
Devadurga

