



IN THE COURT OF THE I ADDL. DIST & SESSIONS JUDGE,
RAMANAGARA

PRESENT:

Smt. M. Panchakshari, M.Com., LL.B,
I Addl. Dist. & Sessions Judge, Ramanagara.
C/c III Addl. Dist. & Sessions Judge, Ramanagara.

Dated this the 7th day of July 2025

S.C.No.65/2024

Petitioners/

Accused No.1 : Kumar M. R.,
S/o. Ramegowda,
Aged about 42 years,
Makali Village,
Channapatna Taluk,
Ramanagara District.

(By Sri. Lokesha A., Advocate)

Vs.

Complainant : M. K. Doddi P.S.,
Channapatna.

(By P.P., Ramanagara)

* * * * *

O R D E R

The applicant/accused No.1 has filed this bail application U/Sec.439 of Cr.P.C., for his enlargement on bail.



2. The brief facts of the accused is as follows:

The bail application is filed on behalf of the accused No.1 seeking his enlargement on bail. It is contended on behalf of the accused No.1 that, M. K. Doddi Police have registered a case against accused No.1 for the offence punishable under Section 307, 504, 323, 324,326 R/w Sec.34 of IPC. He was granted bail and was appearing before the Court. But on 16.06.2025 he remained absent so NBW was issued. Thereafter, M. K. Doddi Police had arrested him on 19.06.2025 and produced before the Court so he was remanded to judicial custody on 19.06.2025. Since then he is in custody.

3. It is the contention of the accused No.1 that, one of his relative had died, so he was unable to inform his lawyer about the said matter and he could not appear before the court on hearing date. It is not intentional but due to bonafide reasons he could not keep himself present before the court. Accused No.1 is resident of addresses mentioned in the cause title and he leading his life as a farmer. He is ready to appear



on future hearing date and he is willing to furnish reasonable surety. Hence, prayed for allow the bail application.

4. The above bail application is opposed by the prosecution and the Learned P.P. had filed the objections wherein prayed for dismissal of bail application. It is contended that, the said case in the stage of hearing before charge, but for the non-appearance of accused No.1 trial could not be proceeded. Accused had failed to place believable grounds for his non-appearance on date of hearing. Accused failed to comply the term and condition of bail order. So, if accused is released on bail again he will abscond and protract trial. Hence, prayed for dismissal of the bail application.

5. Heard the learned counsel for the accused No.1 and also the learned Public Prosecutor for the State.

6. The following points arise for court consideration;

- 1) Whether the petitioner/accused No.1 makes out sufficient grounds for his enlargement on bail Sec.439 of Cr.P.C.?



2) What order?

7. The findings of this court on the above points are as under;

Point No.1:- In the Affirmative.

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

REASONS

8. **Point No.1**:- There are all together 3 accused in the case whereby the offences alleged against the accused is under section 307, 504, 323, 324,326 R/w Sec.34. Accused No.1 was enlarged on bail under section 439 of Cr.P.C., as per order dated:05.08.2024 and as per condition No.2 he has to appear before the court regularly. Now, he had jumped the bail condition by remaining absent so warrant is issued against him as per order dated:16.06.2025 and his presence was secured under warrant on 19.06.2025 and he had been remanded to judicial custody. The very contention of the accused No.1 is that, one of his relative died, so he was unable to inform his lawyer about the said matter and he could not appear before the court on hearing date, now he undertakes to abide by any condition that would



be imposed by this court. Though, the offence alleged is punishable with death or imprisonment for life as regular bail is already granted to the accused No.1 but warrant was issued due to his absence.

9. On perusal of order-sheet it makes out after regular bail accused No.1 had kept himself present before the court and he remained absent, his counsel has submitted that no information from accused No.1. So, taking into consideration this fact as accused states that, he will undertake to keep himself present on all hearing date and ready to abide any condition in such circumstances, if reasonable conditions are imposed then it will meet the objections raised by the prosecution through P.P. With the above reasons I hold the above point in the **Affirmative**.

10. **Point No.2**:- In view of the discussions made supra, this court proceeds to pass the following;

ORDER

The bail application filed by the accused No.1 under Section 439 of Cr.P.C., is hereby allowed.



The accused is enlarged on bail by executing personal bail bond for a sum of Rs.1,00,000/- with a surety for the like sum, subject to following;

CONDITIONS

1. The applicant/accused No.1 shall appear before the court regularly on all the dates of hearing and co-operate in the trial for early disposal.
2. The applicant/accused No.1 shall not involve in any offence pending disposal of this case and shall not leave or change the abode without prior permission of this Court.
3. The applicant/accused No.1 shall not threaten the prosecution witnesses.
4. Accused No.1 shall produce document with regard to his identity proof.

*(Dictated to the Steno Grade-III directly on computer, typed by her and after corrections, printout taken and then pronounced and signed by me in the open Court, on this the **7th day of July 2025**)*

(M. Panchakshari)
I Addl. Dist. & Sessions Judge,
Ramanagara.
(C/c) III Addl. Dist. & Sessions
Judge, Ramanagara.