

ORDER UNDER CHAPTER IV RULE I OF CRIMINAL RULES OF PRACTICE

This is separate case registered against Accused No. 5 for the offences under Sections 498(A) and 506 of Indian Penal Code as Accused No. 5 remained absconding in the original case registered against A1 to 5 in CC No. 768/2009 .

Despite issuance of Non Bailable Warrants against the said Accused for many years he could not be secured. Therefore proclamation was issued which was duly executed as per declaration made in the order sheet dated 24.01.2023.

The Accused person has not furnished surety and therefore this court had no occasion to proceed against the surety to secure the Accused persons.

This court could not take coercive measures under Section 82 and 83 of Code of Criminal Procedure, 1973 as the Accused did not have property in his name which is evident from the letter dated 20.03.2023 written by the Tahasildar, Kanakapura. Therefore, case was posted for evidence under Section 299 of Code of Criminal Procedure, 1973.

This court had recorded evidence of proclamation witness as PW1 and CW8 Investigating Officer as PW2.

Ex.P1 was marked. CW1 to 7 could not secured despite issuance of summons for many years. As the matter was of the year 2013 this court dropped CW1.

Heard learned APP.

In view of the above stated circumstances, it appears that there is no likelihood of securing the presence of accused No. 5 in the near future. Therefore, this Court is of opinion that it is a fit case to be transferred to Long Pending Cases Register. Accordingly, I proceed to pass the following:

ORDER

Office to submit entire records of the case to the Hon'ble Prl.District and Sessions Judge, Bengaluru South District to accord permission to register the case in the Long Pending Cases Register.

Accordingly, case is disposed off.

08.05.2026

(**Raviprakash T. Avin**)

III ADDL. CIVIL JUDGE AND

JMFC., KANAKAPURA.