

ORDER ON BAIL APPLICATION FILED U/S. 437
CR.P.C.,

The learned counsel for the accused No.1 to 3 has filed the present bail application U/Sec.437 of Cr.P.C., for grant of regular bail.

Along with the bail application the learned counsel for the accused also filed certified copy of the anticipatory bail Order passed by The Hon'ble Prl. Dist & Sessions Judge, Ramanagara in Crl. Misc. No.818/2021, dated: 02.12.2021. The Hon'ble Prl. Dist & Sessions Judge, Ramanagara, was pleased grant the order in favour of accused persons on anticipatory bail U/Section 438 of Cr.P.C, with the conditions mentioned therein the order.

The learned APP orally objected and contended that, if the accused are released on bail, there is a chance of absconding and may threatened the witnesses.

Heard the arguments of learned APP & counsel for the accused and perused the bail application and entire records.

The point arises for my consideration is;

“Whether the accused No.1 to 3 are entitled to be release on regular bail as prayed ?”

I answer the above point in the affirmative for the following:

REASONS

In the bail application filed U/Sec.437 of Cr.P.C., the accused No. 1 to 3 submit that, they are innocent of the alleged offences, they falsely involved in the present case. The accused are ready to furnish surety to the satisfaction of the Court. They complied the conditions imposed by the Hon'ble Prl. Dist & Sessions Judge, Ramanagara

and hence prayed to allow the application and release them on regular bail.

On perusal of the certified copy of said order it shows that, the accused are granted the anticipatory bail and as per the condition the present application is filed by the accused persons. The Hon'ble Prl. Dist & Sessions Judge, Ramanagara, the anticipatory bail is granted for the alleged offences. It is the settled principle of law as laid down by the **Hon'ble Apex Court in Siddrammappa Sattilingappa Mehetre Vs State of Maharasra (2011)** that once anticipatory bail is granted, it will continue until end of the trial. Keeping in mind the principle laid down by the Hon'ble Apex Court as stated Supra and the order passed by the Hon'ble Prl. Dist & Sessions Judge, Ramanagara, in criminal petition cited supra, I am of the opinion that, accused No.1 to 3 are entitled to be released on bail with conditions that of the imposed by the Hon'ble Prl. Dist & Sessions Judge, Ramangara.

Therefore, I answer above point in the affirmative. Hence, I proceed to pass the following:

ORDER

The bail application filed by the accused No.1 to 3 U/Sec.437 of Cr.P.C, is hereby allowed with the condition **as imposed by the Hon'ble Prl. Dist & Sessions Judge, Ramanagara.**

The accused No.1 to 3 shall execute their personal bond of Rs.50,000/-, each with a surety like sum and the accused No.1 to 3 shall abide by the conditions imposed by the Hon'ble Prl. Dist & Sessions Judge, Ramanagara.

**Prl. Civil Judge & JMFC,
Magadi.**

Surety present and furnished surety.

Surety by name Sri. Ramesh, S/o. Siddagangaiyah, Age: 42 years, R/o. Venkataramanapalya Village, Kunigal Taluk, Tumkur District is present before the court and offered his surety ship to the accused No.1 to 3. He has also filed his surety affidavit and declaration U/Sec.441-A of Cr.P.C., and copy of Aadhaar card along with RTC of land bearing Sy.No.119/6, measuring 2 acres 08 guntas, situated at Kalarikaval Village, Magadi Taluk, Ramanagara District.

Enquired the surety. Surety found satisfactory. Hence, accepted.

Office is directed to take bonds accordingly.

For HBC call on 14.09.2023.

**Prl. Civil Judge & JMFC,
Magadi.**