

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

The learned counsel for the **accused No.1** by name Sri. **Lakshmikantha**, S/o Narasappa, **accused No.2** by name Sri. **Gangadhara**, S/o Narasappa, **accused No.3** by name Sri. **Krishna @**

Krishnamurthy, S/o Gangadhara, **accused No.4** by name Smt. **Rathnamma**, W/o Gangadhara, **accused No.5**, Smt. **Vanajakshi**, W/o Lakshmikantha, & **accused No.6** by name Sri. **Narasimha**, S/o Narasappa, **accused No.7** by name Sri. **Narasimha Murthy**, S/o Narasappa, **accused No.8** by name Sri. **Rudresh N.**, S/o Narasimha Murthy, **accused No.9** by name Sri. **Honnappa**, S/o Narasappa, **accused No.10** by name Smt. **Lakshamma @ Lakkamma**, W/o Honnappa & **accused No.11** by name Sri. **Devaraju**, S/o Honnappa, have filed the present bail application U/s 437 of Cr.P.C., for grant of regular bail.

2. Along with the bail application the learned counsel for the above said accused No.1 to 11 also filed certified copy of the anticipatory bail Order passed by The Hon'ble Prl. District & Sessions Judge, Ramanagara in Crl. Misc. No.597/2023 dated 03.08.2023. The Hon'ble Prl. District & Sessions Judge, Ramanagara, was pleased to grant the order in favour of said accused No.1 to 11 on anticipatory bail U/Section 438 of Cr.P.C, with the conditions mentioned therein the order.

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

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

5. The point arises for my consideration is;

“Whether the accused are entitled to be release on regular bail as prayed ?”

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

REASONS

7. In the bail application filed U/Sec 437 of Cr.P.C., the accused persons submits that, they are innocents of the alleged offences. They are falsely involved in the present case. The accused are ready to furnish surety to the satisfaction of the Court. They are 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.

8. On perusal of the certified copies of said orders it shows that, the accused are granted the anticipatory bail and as per the conditions the present application is filed and the accused persons appeared in time. 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 orders passed by the Hon'ble Prl. Dist & Sessions Judge, Ramanagara, in criminal petition cited supra. I am of the opinion that, accused are entitled to be released on bail with conditions that of the imposed by the Hon'ble Prl. Dist & Sessions Judge, Ramanagara.

9. 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 11**, U/Sec. 437 of Cr.P.C, is hereby allowed with the condition **as imposed by the Hon'ble Prl. Dist & Sessions Judge, Ramaganara**.

The accused No.1 to 11 shall execute their personal bonds of Rs.50,000/- each, with a surety like sum and the accused persons shall abide by the conditions imposed by the Hon'ble Prl. Dist & Sessions Judge, Ramanagara.

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