

KAUK020020472024



IN THE COURT OF
PRL. SNR. CIVIL JUDGE AND CJM COURT, KARWAR
AT, UTTARA KANNADA

PRESENT: Smt. Kavita S.Undodi,
B.A. LL.B(Spl)
Prl. Senior Civil Judge & CJM and
1st Addl. M.A.C.T., Karwar.

Dated this the 4th day of October, 2025

C.C. NO.1472 / 2024

Complainant: State by Karwar Town Police Station,
[By Learned Sr. A.P.P.]

V/s.

Accused : 3. Anand Ningbasappa Chalavadi,
Age: 22 years, Occ: Labourer,
R/o: Bangarappanagara,
Shirwada, Karwar, U.K.

[By Sri. S.S.R., Adv.]

ORDERS ON BAIL APPLICATION

The accused No.3 has filed bail application under section 437 of Cr.P.C. for release him on bail.

2. In the bail application it is stated that the accused No.3 is permanent resident of Bangarappa, Shirwad and having strong roots in

the society. The accused No.3 has not committed any offence. The offence alleged against the accused No.3 is false and he has not committed any offence as alleged in the FIS. The offence alleged against the accused No.3 is though non-bailable, but not punishable with death or imprisonment for life. The accused No.3 is only earning member in the family having old aged parents, who are suffering from old age deceases. The accused No.3 is having blind parents and entire family is depending on the earnings of the accused. If the accused No.3 is not released on bail, he will be put to great hardship and he is ready to abide by the conditions imposed by the court and prayed to allow the application.

3. On the other hand, the prosecution has opposed the bail application by filing written objections and stated that the Karwar Town Police have registered the case against the accused for the offence punishable under section 380 and 457 of I.P.C. The reasons stated in the bail application are false and baseless. The offence alleged against the accused are non bailable. The accused No.3 is involved in many other cases. If the accused No.3 is released on bail he may commit similar offences and he may abscond in order to delay the case. Further accused No.3 may tamper the prosecution witnesses and prayed to reject the bail.

4. Heard on bail application.

5. The following points arises for my consideration.

1. **Whether accused No.3 is entitled for bail as sought for?**
2. **What order?**

6. My answer to the above points is as under:

Point No.1 – In the Negative

**Point No.2 – Is as per the final order
for the following:**

REASONS

7. **Point No.1:-** The Karwar Town Police have registered case against the accused persons for the offence punishable under section 380 and 457 of IPC, on the basis of First Information Statement lodged by one Shri. Maruti Appu Naik, stating that during the intervening period between 29-06-2024 at about 10-00 P.M. to 30-06-2024 at about 07-30 A.M. he was not in station, the accused broke opened the lock of the house and trespassed into the house and stolen 15 tolas of gold ornaments and cash of Rs.1,30,000/-. During the investigation, the police have arrested the accused No.3 and in the course of investigation he had given statement and after completion of the investigation police have submitted charge sheet to the court.

8. In the objections, the prosecution has stated that the accused is involved in many other cases and if he is released on bail he may commit

similar offences. Further on perusal of the order sheet it shows that after submission of the charge sheet by the police, this court has taken cognizance for the offence punishable under section 380 and 457 of I.P.C. Thereafter the accused No.3 has filed bail application under section 437 of Cr.P.C. and said bail application came to be rejected on 19-09-2024. Again the accused No.3 has filed this bail application on the same grounds. There is no any change of circumstances to entertain the bail application. Hence looking into the facts and circumstances of the case the accused No.3 has not made out grounds to allow the bail application, hence bail application deserves to be rejected, accordingly point No.1 answered in **Negative**.

9. Point No.2:- In view of the above discussion, I proceed to pass the following:

ORDER

**The bail application filed by accused
No.3 under Section 437 of Cr.P.C. is
hereby rejected.**

*(Dictated to the Stenographer directly on system, typed by her, corrected by me, signed and then pronounced in the Open Court on this the **4th day of October, 2025.**)*

**Prl. Senior Civil Judge & C.J.M.,
Karwar.**

**(Order pronounced in the open court,
vide separate)**

ORDER

**The bail application filed by accused
No.3 under Section 437 of Cr.P.C. is
hereby rejected.**

**Prl. Senior Civil Judge & CJM,
Karwar.**