

KAUK020028452025



C.C.No.2391/2025

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

***Presided Over by Smt. Kavita S. Undodi,***  
***B.A., LL.B.,***  
Prl. Senior Civil Judge and  
C.J.M. Court, Karwar.

**Dated this the 1<sup>st</sup> day of April, 2026**

**C. C. NO.2391/2025**

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

**V/s.**

**Accused :** **1.** Mr. Gregory Gilbert,  
Age: 51 years, Occ: Farmer,  
R/o: 2-9(1), AVE Mariya, Military colony,  
Kalathpur, South Belpu, Udupi.

[ By Smt. A.M.M., Adv.]

**ORDERS ON BAIL APPLICATIONS**

The accused No. 1 has filed bail application under section 480 of  
B.N.S.S. for release them on bail.

**2.** In the application it is stated that The Karwar Town Police have registered case against the accused on 27-06-2025 for the offence punishable under section 229, 318(4), 336(3) of B.N.S. Some of the offence are non-bailable but not punishable death or imprisonment of life. The applicant arrested on 21-07-2025 and he is in judicial custody. The investigation is completed. The accused is innocent and he has not committed any offence. The accused is permanent resident of 2-9(1), AVE Maria, Military Colony Kalathpur, South Belpu, Udupi. The accused is not connected with this case. If he is not granted bail whole family will be suffer, the accused undertakes that he will not tamper prosecution witnesses and he will co-operate with investigation and he is ready to furnish surety for the satisfaction of the court and he will 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 persons for the offence punishable under section 237, 318(4), 336(3) and 349(2) of B.N.S. The offence alleged against accused are heinous, non-bailable and cognizable offence. If the accused is released on bail by taking advantage of the same they may try to destroy the prosecution evidence and they may try to tamper the prosecution witness and they may commit similar offence. If the accused is released on bail he may

abscond or escape from the jurisdiction of this court and it will cause delay the prosecution case and prayed to reject the application.

4. Heard on bail application.
5. The following points arises for my consideration.
  1. **Whether accused No.1 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 accused No.1 to 3 and after completion of the investigation filed charge sheet filed against the accused persons for the offence punishable under section under section 318(4), 336(3), 229(2), 340(2), 237, 61, 238, R/w 3(5) of B.N.S., on the basis of First Information Statement lodged by one Ravindra R. Naik, in-charge CAO of District Court, Karwar, stating that on 23-06-2025 the surety furnished by the accused in Spl. Case No.138/2024, before Hon'ble II Addl. District Court, Karwar, verified by the court in Surety Management System and found that accused had given surety of the same land in different courts by

furnishing 7 different Aadhar Cards, with an intention to commit fraud upon the court.

**8.** The police have apprehended the accused produced before the court on 21-07-2025 and court has remanded him to judicial custody. The learned counsel for the accused No.1 submitted that the accused No.1 is innocent and he has not committed any offence and he is ready to furnish surety. The learned Sr. APP submitted that this accused involved in other cases and colluding with other accused he has created the Aadhaar cards and they have committed fraud upon the court.

**9.** The offence alleged against accused No.1 are non bailable. On perusal of the police papers on record it alleged that accused No.1 along with other accused has created Aadhar Cards and produced before the different courts. At this stage on perusal of the material on record prima facie it shows that the accused have committed an offence and played fraud upon the court and though police have submitted charge sheet, but it is not ground to release the accused No.1 on bail, since he has played fraud on the court. Though the offence alleged against accused No.1 is punishable with imprisonment which may extend to 7 years, but it cannot be taken in casual manner and if the accused No.1 is released on bail it will give wrong signal to the society and he may tamper the prosecution witnesses. It is alleged that accused No.1 has committed an offence

before the court of law, which is serious in nature and against the society at large. Looking to the facts and circumstances of the case and gravity of the offence, at this stage accused No.1 has not made out grounds to release him on bail, hence, bail application deserves to be rejected, accordingly point No.1 answered in **Negative**.

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

**ORDER**

**The bail application filed by accused**

**No.1 under Section 480 of B.N.S.S. 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 **1<sup>st</sup> day of April, 2026.**)

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

