

**IN THE COURT OF THE IV ADDL. CITY CIVIL &
SESSIONS JUDGE, AT MAYO HALL, BENGALURU
(CCH.21)**

Present:

sri.D.S.Vijaya Kumar, B.Sc, LL.B.,
XXVI Addl. City Civil & Sessions Judge & I/C. IV
A.C.C. & S.J, Bengaluru

Dated this the 27th day of January, 2021.

Crl.Misc.No.25101/2021

Petitioner:-

Kum.Mary Greta,
D/o Anthony,
Aged about 39 years,
R/a. No.24, Munigangappa
Layout, Saraiya Palya,
Bengaluru-560 077

[By R.R.N-Advocate]

Vs.

Respondent:-

State by Hennur Police Station,
Bengaluru City

[By Public prosecutor]

ORDER

Petitioner has filed this petition under section-
439 of the Cr.P.C., praying for granting an order of

Regular bail in respect of the offences alleged under sections 506, 504, 308 of the Indian Penal Code, in Crime No.2/2021 of the Respondent- Hennur Police Station, Bengaluru.

2. Brief facts of the bail petition are as under:-

Respondent Police have falsely implicated her in the case. She is totally innocent of the offences alleged against her. She is in judicial custody. Offence is not punishable with imprisonment for life or death. She undertakes to abide by any conditions that may be imposed by the court. On all these grounds, Petitioner has sought for granting bail to her.

3. Objection filed by the prosecution to the petition is as under:-

The Respondent Police have registered a case in Crime No.2/2021 for the offences punishable under

sections 506, 504, 308 of Indian Penal Code against the Accused/Petitioner. Investigation is still under progress. If the Petitioner is enlarged on bail, she may again commit similar offences and destroy the prosecution evidence and may abscond from trial. Hence, on these grounds, learned Public Prosecutor has sought for rejection of the bail petition.

4. Heard arguments and also perused the records.

5. In the circumstances, following points arise for determination are:

1. Whether Petitioner is entitled to an order of Regular Bail, as sought for?
2. What order?

6. My findings to the above points are under:-

Point No.1 :- In the **affirmative**

Point No.2 :- As per final order
for the following:-

R E A S O N S

7. Point No.1:- Respondent Police have registered FIR in Crime No. 2/2021 for the offences punishable under sections-506, 504, 308 of Indian Penal Code on the complaint of one Reema Devi. As per the complaint allegations that on 31.12.2020 at 12.30 PM a water tanker vehicle came near her house. At that time, Accused started abusing the driver of the tanker vehicle and pelted stone at him and also on the tanker. When the informant went to enquire about the same, Accused abused the informant in filthy language and hit with a stone on her left forearm and back. Tanker driver pacified the scuffle and thereafter the Accused threatened to do away with the life of the informant and driver.

8. Petitioner is a woman, aged about 39 years, who is entitled to lenience under section 437(2) of Cr.P.C. Accused is in judicial custody since 02.01.2021. Allegation is that the petitioner/accused threw stone and hit the informant and driver of the tanker vehicle. No serious injuries have been sustained in the case. Offences are not punishable with imprisonment for life or death. No grave circumstances are forthcoming against the petitioner, so as to deny bail to her. In these circumstances, I am of opinion that by imposing appropriate conditions, petitioner may be admitted to an order of Bail. Consequently, Point No.1 is answered in the **affirmative**.

9. Point No.2: On the above findings, I proceed to pass the following:-

ORDER

Bail petition filed by Petitioner/
Accused under Sec.439 of the CR.P.C **is
hereby allowed.**

Petitioner/Accused in Crime No.
2/2021 of Hennur Police Station,
Bengaluru, is hereby enlarged on bail for
the offences punishable under sections
506, 504, 308 of Indian Penal Code,
subject to the following conditions:

1) Petitioner shall not threaten
the prosecution witnesses or
tamper with the prosecution
evidence.

2) Petitioner shall co-operate in the investigation of the case.

3) Petitioner shall not abscond from the trial.

4) Petitioner shall execute personal bond for a sum of Rs.50,000/- with one surety in like sum to the satisfaction of the Learned 11th Additional Chief Metropolitan Magistrate, Mayo Hall Unit, Bengaluru.

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(Dictated to the Stenographer, transcribed by him and computerized and then corrected and pronounced by me on this the **27th day of January, 2021**)

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(D.S.VIJAYA KUMAR)
XXVI Addl.CC & SJ & I/c.IV ACC& SJ,
Mayo Hall Unit, Bengaluru.

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(Order pronounced vide separate Order)

ORDER

Bail petition filed by Petitioner/ Accused under Sec.439 of the CR.P.C **is hereby allowed.**

Petitioner/Accused in Crime No.2/2021 of Hennur Police Station, Bengaluru, is hereby enlarged on bail for the offences punishable under sections 506, 504, 308 of Indian Penal Code, subject to the following conditions:

1) Petitioner shall not threaten the prosecution witnesses or tamper with the prosecution evidence.

2) Petitioner shall co-operate in the investigation of the case.

3) Petitioner shall not abscond from the trial.

4) Petitioner shall execute personal bond for a sum of Rs.50,000/- with one surety in like sum to the satisfaction of the Learned 11th Additional Chief Metropolitan Magistrate, Mayo Hall Unit, Bengaluru.

XXVI Addl.CC & SJ, & I/c.IV ACC&SJ,
Mayo Hall Unit, Bengaluru