

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO(S). 2027 OF 2008

OBLAPURA BASAVARAJ & ORS.

APPELLANT(S)

VERSUS

STATE OF KARNATAKA

RESPONDENT(S)

O R D E R

Heard learned counsel for the parties and also perused the relevant record.

We find that originally thirty five persons were tried for the murder of one Maregowda on 26.07.2001. The trial Court convicted four and acquitted the remaining thirty one persons. Out of the four, one person died during the pendency of the proceedings before the High Court. Oblapura Basavaraj, Sandera Malleshi and Koteppa are the three appellants before this Court.

We have considered the evidence on record. We find that the evidence about their involvement in the crime is not consistent. They have remained in custody for more than nine years and were granted bail by this Court on 22.09.2014, after noticing this fact.

Having regard to the entirety of the matter, we are of view that appellants are entitled to benefit of doubt.

Accordingly, we allow this appeal and set aside

the conviction and sentence of the appellants. The appellants are on bail. Their bail bonds shall stand discharged.

Pending applications, if any, shall also stand disposed of.

.....J.
[ADARSH KUMAR GOEL]

.....J.
[UDAY UMESH LALIT]

NEW DELHI
27TH APRIL, 2017

ITEM NO.111

COURT NO.13

SECTION IIC

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Criminal Appeal No(s). 2027/2008

OBLAPURA BASAVRAJ & ORS.

Appellant(s)

VERSUS

STATE OF KARNATAKA

Respondent(s)

(With appln. (s) for bail and permission to file additional documents and exemption from filing O.T. and office report)

Date : 27/04/2017 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL

HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Appellant(s) Mr. A.T.M. Rangaramanujam, Sr. Adv.
Ms. Anu Gupta, Adv.
Mr. Pawan Kumar Sharma, Adv.
Mr. Pratyush Raj, Adv.

For Respondent(s) Mr. Joseph Aristotle S., Adv.
Mrs. Priya Aristotle, Adv.
Ms. K. Priyadarshini, Adv.
Mr. Ashish Yadav, Adv.
Ms. Romsha Raj, Adv.

Ms. Anitha Shenoy, Adv.

UPON hearing the counsel the Court made the following
O R D E R

The appeals are allowed in terms of the signed order.
Pending application(s), if any, shall also stand disposed
of.

(SWETA DHYANI)
SR.P.A

(VEENA KHERA)
COURT MASTER

(Signed order is placed on the file)