



**IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 9TH DAY OF AUGUST, 2024
BEFORE**

THE HON'BLE MR JUSTICE SREENIVAS HARISH KUMAR

CRIMINAL PETITION NO. 1207 OF 2024 (438)

BETWEEN:

SMT. GEETHA AGARWAL
D/O. ASHOK AGARWAL
AGED ABOUT 41 YEARS
BLUE ORCHIDS
RESIDING AT NO. 7, 1ST FLOOR
RR SREEPATHAM APARTMENT
OPP. ANGAPPA SCHOOL, KUNDAMPALAYAM
COIMBATORE
TAMIL NADU – 641 030.

...PETITIONER

(BY SRI. RAJKUMAR V C, ADVOCATE)

AND:

THE STATE OF KARNATAKA
BY CUBBON PARK POLICE STATION
BENGALURU
REP. BY STATE PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA
BENGALURU-560 001.

...RESPONDENT

(BY SRI.DIWAKAR MADDUR, HCGP)

THIS CRL.P IS FILED U/S.438 CR.P.C PRAYING TO DIRECT THE RESPONDENT -CUBBON PARK POLICE, BENGALURU TO ENLARGE THE PETITIONER ON BAIL ON THE COMPLAINT DATED 02.07.2020 AND F.I.R NO.59/2020 DATED 24.07.2020 (ANNEXURE-A) REGISTERED BY THE RESPONDENT-CUBBON PARK P.S. U/S 420 OF IPC, 1860 ON THE FILE OF 8TH ACMM, BENGALURU.

THIS PETITION COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:



CORAM: HON'BLE MR JUSTICE SREENIVAS HARISH KUMAR

ORAL ORDER

Heard Sri Rajkumar V C, learned counsel for the petitioner and Sri Diwakar Maddur, learned HCGP, for the respondent/State.

2. This is a petition for anticipatory bail by accused No.4 in Crime No. 59/2020 registered by respondent/police for the offence punishable under section 420 of IPC. Defacto complainant is one Dr.Rohit C P. The allegations are about supplying inferior quality Nitrile Gloves to the defacto complainant and another person namely Diraj Anand Unchil.

3. It is submitted by the petitioner's counsel that the investigation is underway. It is pertinent to mention here that the first accused in the crime, namely Vinuj Noor Mohammed approached this court by filing Criminal Petition 4066/2020 for grant of anticipatory bail and it was allowed by order dated 5.10.2020. The petitioner has filed copy of order in Criminal Miscellaneous Petition 394/2021



passed by the Principal District and Sessions Judge at Coimbatore to submit that in relation to the same offence, the defacto complainant approached the District Crime Branch police station at Coimbatore and made another complaint which was registered in Crime No. 24/2020. In connection with that case also the Sessions Court has granted bail under section 439 of Cr.P.C to the petitioner.

4. Two complaints appear to have been registered for the same offence. Moreover this court has already granted bail to the first accused. The allegations against the petitioner are also the same. Petitioner is a woman. Her presence may be secured for investigation purpose. For all these reasons petition can be allowed. Hence, the following :

ORDER

- a) *Petition is allowed.*
- b) *In the event of petitioner being arrested by the respondent/police, in connection with Cr.No.59/2020 of Cubbon Park Police Station, Bengaluru, she shall be released on bail, on*



obtaining from her a bond for Rs.1,00,000/- (Rupees One Lakh Only) and two sureties for the likesum to the satisfaction of the investigating officer.

- c) Till investigation is completed, the petitioner shall mark her attendance before the respondent-police once in 15 days.*
- d) She shall appear before the investigating officer as and when her presence is required for investigation.*
- e) She shall not threaten the witnesses and destroy the evidence in whatsoever manner.*
- f) She shall produce her permanent address proof, copy of Aadhar card and photo identity proof.*
- g) If she has got a passport, the same shall be surrendered to the investigating officer.*

**Sd/-
(SREENIVAS HARISH KUMAR)
JUDGE**