



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 20TH DAY OF DECEMBER, 2024

BEFORE

THE HON'BLE MR JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 13315 OF 2024

BETWEEN:

1. RAMAMURTHY @ AUTO RAMA
S/O RAMESH
AGED ABOUT 31 YEARS
RESIDING AT MEDAHALLI
VILLAGE, KASABA HOBLI
DODDABALLAPURA TALUK
BENGALURU RURAL DISTRICT - 561 203.
2. SRIKANTHA @ KANTHA
S/O SRINIVAS
AGED ABOUT 21 YEARS
RESIDING AT OPP BJP OFFICE
BHUVANESHWARINAGAR
DODDABALLAPURA TOWN KASABA
HOBLI, DODDABALLAPURA TALUK
BENGALURU RURAL DISTRICT
PIN NO.- 561 203.

...PETITIONERS

(BY SRI MANJUNATHA KAMBAR, ADV.)

AND:

THE STATE OF KARNATAKA BY
DODDABALLAPURA RURAL POLICE STATION
BENGALURU DISTRICT - 561203
REPRESENTED BY STATE PUBLIC
PROSECUTOR, HIGH COURT COMPLEX
BENGALURU - 560 001.

...RESPONDENT

(BY SRI CHANNAPPA EERAPPA, HCGP)

THIS CRL.P IS FILED U/S 439 CR.P.C (U/S 483 BNSS)
PRAYING TO ENLARGE THE PETITIONERS ON BAIL IN

Digitally
signed by
NANDINI MS
Location:
High Court of
Karnataka



SC.NO.10022/2024 (CR.NO.154/2024) OF RESPONDENT
DODDABALLAPURA POLICE, FOR THE OFFENCES P/U/S
143,147,148,302,323,364,201,120(B) R/W 34 OF IPC, PENDING ON
THE FILE OF THE IV ADDL. DISTRICT AND SESSIONS JUDGE,
DODDABALLAPURA, BENGALURU RURAL DISTRICT.

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

CORAM: HON'BLE MR JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

1. Accused nos.5 & 9 in S.C.No.10022/2024 pending before the Court of IV Addl. District & Sessions Judge, Doddaballapura, Bengaluru Rural District, arising out of Crime No.154/2024 registered by Doddaballapura Rural Police Station, Bengaluru District, for the offences punishable under Sections 143, 147, 148, 302, 323, 364, 201, 120B read with 149 IPC, are before this Court under Section 439 Cr.PC.
2. Heard the learned Counsel for the parties.
3. FIR in Crime No.154/2024 was registered by Doddaballapura Rural Police Station, Bengaluru District, initially for the offences punishable under Sections 143, 147, 148, 149, 302, 323 IPC, against one Narasimhamurthy and 8 to 9 others, on the basis of the first information dated 11.05.2024 received from Shashikumar S/o late Chikkajanappa, who is the father of



deceased Hemanthgowda. During the course of investigation, accused no.5 was arrested on 17.05.2024 and accused no.9 was arrested on 20.05.2024. Investigation of the case is completed and charge sheet has been filed against ten persons. Bail application filed by the petitioners before the jurisdictional Sessions Court in Crl. Misc. No.10165/2024 was rejected on 23.09.2024. Therefore, they are before this Court.

4. Learned Counsel for the petitioner submits that the allegation as against accused no.6 and petitioners herein are identical. The eye-witnesses have not named any one of the accused except accused no.1. Accordingly, he prays to allow the petition.

5. Per contra, learned HCGP has opposed the petition.

6. Accused no.6 has been granted regular bail by this Court in Crl.P.No.11653/2024 disposed of on 29.11.2024. This Court in paragraph no.8 while granting regular bail to accused no.6 has observed as under:

"8. During the course of investigation of the case, accused no.1/Narasimhamurthy was arrested on 15.05.2024 and on the basis of the confession statement of accused no.1/Narasimhamurthy, the other accused



persons appears to have been arrested subsequently in the present case. CW-2 to 6 who are the alleged eye witnesses in the present case, have not spoken to about the overt act committed by the other accused persons, except accused no.1/Narasimhamurthy. None of the eye witnesses have named any one of the accused, except accused no.1/Narasimhamurthy. It is not in dispute that the Police have not conducted any test identification parade in the present case in the manner known to law. Recovery of vehicle used to kidnap deceased and the weapons which were allegedly used to assault deceased have been made after accused no.1/Narasimhamurthy who is named in the FIR was arrested. It is not in dispute that the petitioner has no other criminal antecedents. Investigation in the case is complete and charge-sheet has been filed. Under the circumstances, I am of the opinion that prayer made by the petitioner for grant of a regular bail needs to be answer affirmatively."

7. The allegations found as against the petitioners herein and accused no.6 are similar. Under the circumstances, I am of the opinion that on the ground of party, the prayer made by the petitioners for grant of regular bail is required to be answered affirmatively. Accordingly, the following order:

8. The Petition is allowed. The petitioners are directed to be released on bail in S.C.No.10022/2024 pending before the Court of IV Addl. District and Sessions Judge, Doddaballapura,



Bengaluru Rural District, arising out of Crime No.154/2024 registered by Doddaballapura Rural police Station, Bengaluru District, for the offences punishable under Sections 143, 147, 148, 302, 323, 364, 201, 120B r/w 149 of IPC, subject to following conditions:

a) Petitioners shall execute personal bond for a sum of Rs.1,00,000/- each with two sureties for the likesum, to the satisfaction of the jurisdictional Court;

b) The petitioners shall appear regularly on all the dates of hearing before the Trial Court unless the Trial Court exempts their appearance for valid reasons;

c) The petitioners shall not directly or indirectly threaten or tamper with the prosecution witnesses;

d) The petitioners shall not involve in similar offences in future;

e) The petitioners shall not leave the jurisdiction of the Trial Court without permission of the said Court until the case registered against them is disposed off.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

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