

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 11TH DAY OF APRIL, 2011

BEFORE:

THE HON'BLE MR. JUSTICE A.S. PACHHAPURE

CRIMINAL PETITION No.1487 OF 2011

BETWEEN:

Shanthaveerappa,
S/o. Gurupadappa,
Aged about 32 years,
Occ: Homeguard No.7
R/o. House No.448,
1st Main Road,
Dasarahalli, Bangalore.

... PETITIONER/S

[By Sri. R.B. Deshpande, Adv.]

AND:

The State of Karnataka by
Madhugiri Police Station.

... RESPONDENT/S

[By Sri. G.M. Srinivasa Reddy, HCGP.]

This Crl.P. is filed u/Section 439 Cr.P.C praying to enlarge the petitioner on bail in Cr.No.70/10 of Madhugiri P.S., Tumkur, for the offences p/u/S 457 and 380 of IPC.


This Crl.P. coming on for Orders, this day the Court made the following:

ORDER

The facts reveal that on 11.06.2010, an incident of theft of idols of Lord Shiva, Goddess Parvathi, Lord Veerabhadraswamy occurred in the temple and subsequently, the idols were recovered at the instance of the petitioner. The petitioner is said to be the purchaser/receiver from accused Nos.5 and 6. In the circumstances, a complaint was registered by the Madhugiri Police.

2. The punishment provided for the offence under Section 380 IPC is imprisonment for 3 years and for the offence under Section 457 IPC is imprisonment for 5 years.

3. Taking into consideration the fact that the petitioner is a receiver of the stolen properties, which is an offence punishable under Section 411 IPC., I am of the opinion that it is a fit case, wherein bail has to be granted.



In the result, the petition is allowed. The petitioner is ordered to be released on bail, on his executing a personal bond for a sum of ₹25,000-00 with one solvent surety for the likesum to the satisfaction of the Magistrate/Sessions Court with further following conditions:

- 1) The petitioner shall be made available for interrogation by a police officer as and when he is required.
- 2) He shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.
- 3) He shall attend the Court as and when directed.

Sd/-
JUDGE

Ksm*