

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 12TH DAY OF JUNE 2012

BEFORE

THE HON'BLE MR. JUSTICE SUBHASH B ADI

CRL.P No.2738/2012

BETWEEN :

SRI SURENDRA KUMAR
S/O SRI M B MUDDAPPA
AGED ABOUT 42 YEARS
R/O NO.89/3, 7TH CROSS,
MARKET ROAD,
LAKSHMINARAYANAPUR
BANGALORE-21

...PETITIONER

(By Sri. S P KULKARNI, ADV.)

AND :

1 STATE OF KARNATAKA
REPRESENTED BY ITS J P NAGAR POLICE
NOW REPRESENTED BY STATE P.P.
HIGH COURT OF KARNATAKA BUILDING,
BANGALORE- 01

2 THE SUB-INSPECTOR OF POLICE
(LAW & ORDER)
J P NAGAR POLICE STATION,
BANGALORE- 78.

...RESPONDENTS

(By SRI SATISH R.GIRJI, HCGP)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 438 OF
CR.P.C. PRAYING TO ENLARGE THE PETITIONER ON BAIL IN THE

EVENT OF HIS ARREST IN C.C.NO.13391/2008 (CRIME NO.54/2005 OF J.P.NAGAR POLICE STATION) BANGALORE FOR THE OFFENCE P/U/S.468, 471, 474, 420 R/W 34 OF IPC.

THIS PETITION COMING ON FOR ORDERS THIS DAY, THE COURT MADE THE FOLLOWING:

ORDER

Petitioner is accused No.3. He has been charge sheeted in Crime No.54/2005 for the offences punishable under Sections 406 and 420 of IPC read with Section 34 of IPC.

2. Petitioner was granted anticipatory bail. However, despite granting anticipatory bail subject to condition that, he would appear before the court, he did not appear before the court for five years and after five years, he has filed anticipatory bail application apprehending the arrest.

3. Court orders are made for compliance, more so when the anticipatory bail is granted, anticipating his arrest, however, taking advantage of the same, he committed a default and made the Court to wait for five years. Hence, petitioner does not deserve for grant of anticipatory bail.

Hence, the petition fails and same is dismissed. However, if the

petitioner surrenders and seeks fresh bail, the same may be considered as expeditiously as possible not later than two days from the date of application.

**Sd/-
JUDGE**

KNM/-