

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 31ST DAY OF MARCH, 2015

BEFORE

THE HON'BLE MR. JUSTICE A.V. CHANDRASHEKARA

CRIMINAL PETITION NO.1802 OF 2015

BETWEEN:

R. RAVINDRA BABU @ BABU REDDY
S/O. M. RAMAREDDY
AGED ABOUT 48 YEARS
R/AT NO.42, III CROSS
KRISHNAREDDY LAYOUT
HBR 3RD STAGE
BANGALORE – 560 053

... PETITIONER

(BY SRI C.H. HANUMANTHARAYA, ADVOCATE)

AND

STATE OF KARNATAKA
BY BANGARPET POLICE
BANGARPET TQ
KOLAR DISTRICT – 563 132

(REP. BY STATE PUBLIC PROSECUTOR
HIGH COURT BUILDING COMPLEX
BANGALORE – 01)

... RESPONDENT

(BY SRI B.J. ESHWARAPPA, HCGP)

THIS CRL.P IS FILED U/S.438 CR.P.C PRAYING TO
ENLARGE THE PETITIONER ON BAIL IN THE EVENT OF

HIS ARREST IN CR.NO.21/2015 OF BANGARPET P.S., K.G.F., WHICH IS REGISTERED FOR THE OFFENCES P/U/Ss 302 AND 201 OF IPC.

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

ORDER

Heard the learned counsel for the petitioner and the learned HCGP for the complainant.

2. Petitioner is accused No.1 in Crime No.21/2015 registered on the file of the Bangarpet Police Station for the offences punishable under Sections 302 and 201 of IPC. Investigation is still in progress and the petitioner is in judicial custody. Apprehending arrest in the hands of the respondent-police the petitioner requested this Court to release him on bail.

3. Learned HCGP has opposed the bail application on the ground that investigation relating to the murder of deceased Ramachandra S/o. Narayanappa is still in progress. It is argued that the statements of

wife and brother of the deceased were recorded at the time of inquest, and they would make it clear that it was a love marriage between Chaitra and deceased and therefore there were no cordial terms between Chaitra and her parents.

4. Serious allegation is made against the petitioner that at his instance murder has taken place. The investigation is still under progress. Hence, without expressing any opinion on the merits of the case, this Court is of the opinion that this is not a fit case to exercise the discretion under Section 438 of Cr.P.C., at this stage Accordingly petition is dismissed.

5. Notwithstanding dismissal of this case, petitioner is at liberty to surrender before the police or concerned Court and then approach this Court or Sessions Court under Section 439 of Cr.P.C.

Sd/-
JUDGE

Sbs*