

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 13th DAY OF JUNE, 2012

BEFORE

THE HON'BLE MR. JUSTICE SUBHASH B.ADI

CRIMINAL PETITION NO.2550/2012

Between:

Mr.Basavaraj @ Raja @ Rajappa,
S/o.Parade Ramappa,
Aged about 25 years,
Agriculturist,
R/at Sanna Bokikere Village,
Tarikere Taluk,
Chikmagalur District.

... Petitioner

(By Sri.Dharmapal, Adv.)

And:

State of Karnataka,
By Inspector of Police,
Birur Police Station,
Chikmagalur District.

... Respondent

(By Sri.G.M.Sreenivasa Reddy, HCGP)

This Criminal Petition is filed under Section 439 of Cr.P.C. by the advocate for the petitioner praying that this Hon'ble Court may be pleased to release the petitioner on bail in S.C.No.29/12 (crime No.135/11 of Birur Police Station) Chickmagalore District, for the offences punishable under Sections 201 and 302 of IPC.

This criminal petition coming on for orders this day, the Court made the following: -

ORDER

Petitioner is the accused No.1. He has been charge sheeted for the offences punishable under Sections 201 and 302 of IPC.

2. The complainant initially suspected the accused on the basis of suspicion, they were apprehended. The Police on investigation have filed charge sheet. Though the complaint shows the name of the petitioner, however, the entire case is based on the circumstantial evidence. Even the postmortem report and the opinion for the cause of death is not yet submitted, as the dead body was highly decomposed. Considering circumstantial evidence, the petitioner can be enlarged on bail.

3. Accordingly, the petition is allowed. Petitioner is enlarged on bail subject to the following conditions:-

(i) The petitioner shall execute a personal

bond for Rs.25,000/- with two sureties for the likesum to the satisfaction of the Trial Court.

- (ii) Petitioner shall regularly attend the Court on hearing dates.
- (iii) He shall not tamper with the prosecution witnesses.

Sd/-
JUDGE

Vnp*