



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 22ND DAY OF AUGUST, 2023

BEFORE

THE HON'BLE MR JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 6321 OF 2023

BETWEEN:

SRI JAGADEESHA G.R
SON OF RUDRAPAP
AGED ABOUT 29 YEARS
R/AT GULAYYANAHALLI
CHIKKAPURA, CHITRADURGA
PIN - 577 520.

...PETITIONER

(BY SRI ALLAH BAKASH M, ADV.)

AND:

STATE OF KARNATAKA
STATION HOUSE OFFICER OF
CHITRADURGA RURAL POLICE
STATION, CHITRADURGA
REP BY SPP, HIGH COURT OF
KARNATAKA, BANGALORE - 560 001.

...RESPONDENT

(BY SMT. SOWMYA R, HCGP)

THIS CRL.P FILED U/S 439 CR.PC PRAYING TO ENLARGE THE
PETITIONER ON BAIL IN CR.NO.314/2021 OF CHITRADURGA RURAL
P.S. CHITRADURGA DISTRICT FOR THE OFFENCE P/U/S 420,506 OF
IPC AND SEC.21(3) OF BUDS ACT ON THE FILE OF THE I ADDL.CIVIL
JUDGE (JR.DN) AND J.M.F.C COURT CHITRADURGA DISTRICT.

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



ORDER

1. Accused no.1 in Crime No.314/2021 registered by Chitradurga Rural Police Station, Chitradurga, for the offences punishable under Sections 506, 420 IPC, is before this Court under Section 439 Cr.PC.
2. Heard the learned Counsel for the parties.
3. On the complaint of one Smt. Lakshmidevi dated 05.08.2021, Chitradurga Rural police have registered FIR in Crime No.314/2021 for the aforesaid offences against the petitioner and another.
4. In the complaint, it is averred that the accused persons had approached the complainant and represented to them that they were doing arecanut and real estate business and they had plenty of money. It is also alleged that the accused persons assured that they will be giving double the amount in the event of investments being made with them. Accordingly, the complainant had pledged her gold ornaments and had invested an amount of Rs.80,000/- with the accused persons. It is alleged that the accused persons had cheated the complainant and other similarly placed villagers and had not returned the



amount invested by the complainant and other villagers. It is also alleged that when the complainant and other villagers requested the accused to repay the amount, they allegedly threatened them with dire consequences. It is under these circumstances, the complaint was lodged which had resulted in registering FIR in Crime No.314/2021 against the petitioner and another for the aforesaid offences.

5. During the course of investigation, petitioner was arrested on 23.06.2023. His bail application filed before the Prl. District & Sessions Judge, Chitradurga, in CrI.Misc. No.865/2023, was dismissed on 13.07.2023. It is under these circumstances, the petitioner is before this Court.

6. Learned Counsel for the petitioner submits that the alleged offences are triable by the court of Magistrate and the maximum punishment for the offence is imprisonment for seven years. Petitioner is in custody since 23.06.2023. Major portion of the investigation is completed and prays to enlarge the petitioner on bail.

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



8. In the complaint, it is averred that the accused persons had represented to the complainant and other villagers that in the event if they invested money with the accused persons, they will give double the amount so invested. It is on the assurance of the accused persons, complainant and others had allegedly invested money with the accused. Complainant had allegedly invested a sum of Rs.80,000/-. The particulars of the investment by the other villagers is not mentioned in the complaint. Petitioner has been arrested on 23.06.2023. The offences alleged against the petitioner are triable by the Court of Magistrate and maximum punishment for the said offences is imprisonment for seven years. Major portion of the investigation is completed. Under the circumstances, I am of the view, that the petitioner has made out a prima facie case for grant of regular bail. Accordingly, the following order:

9. The petition is allowed. The petitioner is directed to be enlarged on bail in Crime No.314/2021 registered by Chitradurga Rural Police Station, for the offences punishable under Sections 506, 420 IPC, subject to the following conditions:



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

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

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

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

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

**Sd/-
JUDGE**

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