

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 23rd DAY OF JANUARY 2008

BEFORE

THE HON'BLE MR.JUSTICE N ANANDA

CRIMINAL PETITION NO.5648/2007

BETWEEN:

Changulanda Raja @ Rajappa,
S/o late Muthanna,
Aged 38 years.
R/o Hysodlur village,
Virajpet Taluk,
Kodagu District.

... PETITIONER

(By Sri. R. K. Mahadev, Adv.)

AND:

The Station House Officer,
Ponnampet Police Station,
Ponnampet.
Gonikoppa Circle,
Virajpet Taluk,
Kodagu District.

... RESPONDENT

(By Sri. Makbul Ahamad, HCGP)

This petition is filed under Section 439 Cr.P.C. praying to enlarge petitioner on bail in Crime No.66/2007 of

Ponnampet Police Station pending on the file of Principal Civil Judge (Jr Dn) & JMFC, Virajpet.

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

ORDER

The petitioner arrayed as Accused No.2 in Crime No.66/2007 for offence punishable under Section 302 IPC has filed this petition for his release on bail.

2. I have heard learned Counsel appearing for petitioner and learned Government Advocate.

3. The learned Sessions Judge has granted bail to accused nos.3 and 4. On careful consideration of investigation papers I find the case rests upon circumstantial evidence. The deceased was suspected to have killed father of the accused. Deceased was last seen alive in the company of accused nos. 1 to 4.

v. chandra

4. The learned Sessions has granted bail to accused nos.3 and 4. The learned Sessions Judge has declined bail to accused no.2 considering the voluntary statement made by him regarding the manner in which offence was committed. On an overall consideration of the matter I find allegations contained in investigation papers against accused nos.3 and 4 are similar to allegations made against petitioner. Therefore the petition is accepted on the ground of parity.

5. Accordingly I pass the following:

ORDER

The petition is allowed. The petitioner shall be released on bail subject to following conditions:

1. The petitioner shall execute a bond for a sum of Rs.25,000/- and shall offer two sureties for the like sum to the satisfaction of committal court.

n. shankar

2. The petitioner shall not intimidate or tamper with the prosecution witnesses.
3. The petitioner shall appear before committal/Sessions Court regularly.

Sd/ 
Judge

Sub/