

1

**IN THE HIGH COURT OF KARNATAKA,
CIRCUIT BENCH AT GULBARGA**

DATED THIS THE 28TH DAY OF JULY, 2010

BEFORE

THE HON'BLE MR. JUSTICE B V PINTO

CRIMINAL PETITION NO. 9063/2010

BETWEEN:

Venkatesh Bale S/o Mariyappa Harijan,
Age: 28 years, Occ: Auto Driver,
R/o Janata Colony Sindhanoor,
Tq. Sindhanoor, Dist. Raichur.

...Petitioner

(By Sri. S. A. Kelur, Advocate)

AND:

The State of Karnataka
Through Station House officer,
of Town Police Station
Sindhanoor, Tq. Sindhanoor,
Through learned State Public Prosecutor
Gulbarga.

...Respondent

(By Sri. Subhash Mallapur, HCGP)

This Criminal Petition is filed under Section 439 of
Cr.P.C. by the Advocate for the petitioner praying to
grant regular bail to the accused/petitioner in Crime



No.131/2010 of PSHO of Town Police Station at Sindhanoor and FIR No.409/25010 on the file of Prl. JMFC at Sindhanoor, which is registered for offences P/U/S 366-A R/w Sec. 376 of IPC.

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

ORDER

This petition is filed seeking bail in Crime No.131/2010 registered on 08.06.2010 by Sindhanoor Town Police Station for the offences punishable under Sections 366 (A) and 376 IPC.


2. It is alleged in the complaint filed by one Shantamma mother of the victim girl that her daughter by name Hemavati has been missing from the house since 03.06.2010. She has further stated in the complaint that her daughter was in friendly terms with the petitioner and in this connection she has warned the petitioner not to come to her house and she has further left her daughter in Peruvali village of Andhra Pradesh, so that she could detach her daughter from



the petitioner. However, on 03.06.2010 at about 10.00 AM her daughter was not found in the house. Thereafter she went to the house of the petitioner, but the victim as well as the petitioner were not there in their house also. On the basis of the said complaint the police have registered a case under Section 366(A) IPC. Both the petitioner and the victim girl were traced and according to the statement of the victim girl, she has admitted that she had friendship with the petitioner and that she has gone to the places along with the petitioner. Based on her statement the police have added Section 376 also to the other Section.

3. Heard Sri.Prashanth Kumar S. Gotur, learned counsel for Sri. S.A. Kelur, learned counsel for the petitioner and Sri. Subhash Mallapur, learned High Court Government Pleader for the State.

4. It is seen that the victim has crossed 17 years as on the date of offence and she has gone voluntarily



with the petitioner. Under the circumstances, I am of the opinion that the petitioner can be granted bail. Hence the following order:

ORDER

- (i) Petition is allowed.
- (ii) Petitioner is directed to be released on bail on his executing a bond for Rs.10,000/- (Rupees Ten Thousand Only), with one surety for the likesum.
- (iii) Petitioner shall not interfere with the complainant and her family.

Sd/-
JUDGE

swk