



**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 12<sup>TH</sup> DAY OF SEPTEMBER, 2024**

**BEFORE**

**THE HON'BLE MR JUSTICE S VISHWAJITH SHETTY**

**CRIMINAL PETITION NO. 8988 OF 2024**

**BETWEEN:**

MANURAJ T.S  
S/O SHIVAKUMAR  
AGED ABOUT 21 YEARS  
R/AT OPPOSITE TO MASJID  
S N PALYA, SIRA GATE  
VTC TUMAKURU  
TUMAKURU TOWN - 572 101.

...PETITIONER

(BY SRI G.M. SHARATH KUMAR, ADV., FOR  
SRI MOHAMED UMMAR FAROOQ, ADV.)

**AND:**

STATE OF KARNATAKA BY  
TUMAKURU TOWN POLICE STATION  
REPRESENTED BY ITS STATE PUBLIC  
PROSECUTOR, HIGH COURT BUILDING  
BENGALURU - 560 001.

...RESPONDENT

(BY SRI VINAY MAHADEVAIAH, HCGP)

THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483 BNNS)  
PRAYING PLEASED TO ENLARGE ON BAIL AND RELEASE THE  
PETITIONER / ACCUSED NO.3 IN CR.NO.296/2024 PENDING ON THE  
FILE OF PRL.CIVIL JUDGE (SR.DN.) AND CJM COURT, TUMKURU  
DISTRICT REGISTERED BY THE TUMAKURU TOWN POLICE STATION  
FOR THE OFFENCE P/U/S 54, 61, 109(2) R/W SEC. 3(5) OF BNS  
2023, BY ALLOWING THE APPLICATION.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER  
WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR JUSTICE S VISHWAJITH SHETTY





**ORAL ORDER**

1. Accused no.3 in Crime No.296/2024 registered by Tumakuru Town Police Station, Tumakuru District, for the offences punishable under Sections 54, 61, 109(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023, is before this Court under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023.
2. Heard the learned Counsel for the parties.
3. FIR in Crime No.296/2024 registered by Tumakuru Town Police Station, Tumakuru District, for the aforesaid offences against Rohitha and seven others on the basis of the first information received from Pavan - injured claimant on 22.07.2024. During the course of investigation, petitioner who is arrayed as accused no.3 in the FIR, was arrested on 26.07.2024. Bail application filed by the petitioner before the jurisdictional Sessions Court in CrI. Misc. No.1221/2024 was rejected on 12.08.2024. Therefore, he is before this Court.
4. Learned Counsel for the petitioner submits that petitioner has no criminal antecedents. There is no allegation against the petitioner about assaulting the injured persons in the present case. Accused nos.1 & 4 who have allegedly assaulted the



injured, have been arrested on 26.07.2024 and they are in custody. Accordingly, he prays to allow the petition.

5. Per contra, learned HCGP who has opposed the petition, does not dispute the submission made by the learned Counsel for the petitioner.

6. Perusal of the typed first information dated 22.07.2024 submitted by the injured victim - Pavan before the Tumakuru Town Police Station, would go to go show that on 21.07.2024 at about 9.30 p.m., when he was along with his friends, the accused persons came there and allegedly after abusing the first informant, they assaulted him. The allegation of assaulting the first informant with a long is as against accused no.4 - Santhosh and the allegation of assaulting another injured in the present case viz., Manu with a deadly weapon is as against accused no.1. There is no allegation as against the petitioner herein either about assaulting the injured first informant or his friend Manu who is another injured in the present case. Accused nos.1 & 4 have been arrested in the present case on 26.07.2024 and they are said to be in custody.



7. Petitioner aged about 21 years, undisputedly who has no criminal antecedents is in custody from 26.07.2024. Considering the aforesaid aspects of the matter, I am of the opinion that the petitioner's prayer for grant of regular bail is required to be answered affirmatively. Accordingly, the following order:

8. The petition is allowed. The petitioner is directed to be enlarged on bail in Crime No.296/2024 registered by Tumakuru Town Police Station, Tumakuru District, for the offences punishable under Sections 54, 61, 109(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023, 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) Petitioner shall mark his attendance before the Investigating Officer on every Sunday between 10.00 a.m. and 2.00 p.m. till investigation in the case is completed and final report is filed;

c) 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;

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

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

f) 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/-  
(S VISHWAJITH SHETTY)  
JUDGE**

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