HC-KAR

NC: 2025:KHC:19296
CRL.P No. 5650 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF JUNE, 2025

BEFORE

THE HON'BLE MR JUSTICE MOHAMMAD NAWAZ

CRIMINAL PETITION NO.5650 OF 2025
[439(Cr.PC)/483(BNSS)]

BETWEEN:

SATHISH KUMAR K
AGED ABOUT 68 YEARS,
S/O LATE K.BRAHMANANDA,
R/AT 2-7-502, SEVA SADAN,
6TH CROSS, KIRODIYAN LANE,
SUPRABATHA COMMERCIAL COMPLEX,
KAPIKAD, BEJAI, MANGALORE-575004.

...PETITIONER

(BY SMT. HALEEMA AMEEN, ADVOCATE)

AND:

Digitally signed by KHAJAAMEEN MALAGHAN
Location: HIGH COURT OF KARNATAKA

STATE BY POLICE SUB-INSPECTOR
URWA POLICE STATION
MANGALURU
REPRESENTED BY
STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDINGS,
BENGALURU-560001

...RESPONDENT

(BY SMT. RASHMI JADHAV, ADDL.SPP)

THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483 BNNS,2023) PRAYING TO ENLARGE THE PETITIONER ON BAIL IN CRIME NO.22/2025, REGISTERED BY THE URWA POLICE STATION, FOR THE OFFENCES PUNISHABLE UNDER SECTIONS

109 AND 118(1) OF THE BHARATIYA NYAYA SANHITA, 2023 PENDING ON THE FILE OF III JMFC COURT, MANGALURU.

THIS PETITION IS COMING ON FOR ORDERS, THIS DAY, THROUGH VIDEO CONFERENCE AT KALABURAGI BENCH, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR JUSTICE MOHAMMAD NAWAZ

ORAL ORDER

Heard the learned counsel for the petitioner and learned Additional State Public Prosecutor for the respondent/State. Perused the material on record.

2. The petitioner is seeking to enlarge him on bail on Crime No.22/2025 of Urva Police Station, Mangalore City, registered for the offences punishable under Sections 109 and 118(1) of BNS, 2023.

3. In the complaint lodged by one Murali Prasad, he has alleged that the petitioner is in the habit of unnecessarily picking up quarrel with him and abusing him in filthy language. On 13.03.2025 at about 8.30 a.m., when the complainant was proceeding on his motor cycle bearing Reg.No.KA-19/Y-5145 so as to go for work,

petitioner with an intention to kill him, drove his car in a rash manner and hit against his motor cycle, due to which he sustained injuries and one pedestrian sustained grievous injuries. Both the injured were shifted to A.J. Hospital by one Dayanand, wherein they took treatment for the injuries sustained by them.

4. Learned Addl. SPP would contend that even on earlier occasion petitioner has caused injuries to the complainant's father by intentionally causing accident and also abused him in filthy language and in this connection a NCR was registered at Urva Police Station. She contended that the petitioner has attempted on the life of the complainant and another pedestrian who sustained grievous injuries and therefore, the petitioner is not entitled for bail.

5. Learned counsel for the petitioner would contend that in respect of the very same incident, a case in Crime No.18/2025 is also registered at Mangalore West Traffic Police Station for offences punishable under

Sections 281, 125 (b), 125 (a) of the BNS, 2023 and under Section 134 (A) of the Indian Motor Vehicles Act, 1988. She has therefore contended that it is a case of accident, however, due to the ill-will against the petitioner, complainant has falsely alleged that the petitioner has attempted to commit his murder.

6. The petitioner is aged about 68 years. He was arrested on 13.03.2025 i.e., on the same day of incident. Since then he is in judicial custody. He has already been interrogated and not required for further interrogation. He has undertaken to furnish sufficient surety for his regular appearance before the Trial Court. It is also submitted by the learned counsel for the petitioner that both the injured have been discharged from the hospital.

7. Considering the facts and circumstances and the submission made by the learned counsel for the petitioner and also considering the age of the petitioner, petition can be allowed by imposing appropriate conditions. Accordingly, the following:

ORDER

The petition is ***allowed***.

The petitioner/accused in Crime No.22/2025 of Urva Police Station, Mangalore City shall be enlarged on bail, subject to following conditions:

(i) He shall execute a bond in a sum of Rs.50,000/- [Rupees Fifty Thousand only], with two sureties for the likesum to the satisfaction of the jurisdictional court;

(ii) He shall furnish proof of his residential address and inform the Investigation Officer/Court if there is change in the address;

(iii) He shall not tamper with the prosecution witnesses, either directly or indirectly;

(iv) He shall not indulge himself in committing any offence;

(v) He shall co-operate with the investigation of the case.

(vi) He shall appear before the Trial Court on every date of hearing without fail, unless exempted for any genuine reasons;

Violation of condition/s shall result in cancellation of bail.

Sd/-
(MOHAMMAD NAWAZ)
JUDGE

swk
List No.: 19 Sl No.: 2