IN THE HIGH COURT OF KARNATAKA AT BENGALURU DATED THIS THE 18th DAY OF NOVEMBER 2015 BEFORE

THE HON'BLE MR.JUSTICE A.V.CHANDRASHEKARA CRIMINAL PETITION No.6946/2015

Between:

- Irfan @ Ippu
 Aged about 24 years,
 S/o. Ismail,
 Residing at Arkula,
 Farnaz Complex, Adyar Village,
 Mangaluru.
- 2. Thowsif @ Naushad
 Aged about 22 years,
 S/o. Abdul Hameed,
 Residing at Sujir,
 Badhigudde House,
 Padu Village,
 Bantwal Taluk.
- 3. Nisar @ Goodu Nisar
 Aged about 26 years,
 S/o. Hameed,
 Residing at Padi Mane,
 Padu Village,
 Bantwal Taluk.
- 4. Mohammed Nisar
 Aged about 24 years,
 S/o. Shekabba,
 Residing at Perimaru Mane,
 Padu Village,
 Bantwal Taluk.
- 5. Saddam Hussain @ Saddam Aged about 24 years, S/o. Aboobakkar,

Residing at Sujir, Badhigudde House, Padu Village, Bantwal Taluk.

...Petitioners

(By Sri Vishwajith Shetty S., Adv.)

And:

State of Karnataka C.P.I. Bantwala Circle, Represented by State Public Prosecutor, High Court Buildings, Bangalore.

...Respondent

(By Sri B. Visweswaraiah, HCGP)

This Criminal Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioners on bail in CR. No. 161/2014 (S.C.No.98/2014) of Bantwala Rural P.S., D.K., Mangalore for the offence P/U/S 143,147,148,324,302,120B,427 R/w 149 plaintiff IPC.

This Criminal Petition coming on for orders this day, the Court delivered the following :

ORDER

The learned Government Pleader submits that trial has already commended and few witnesses have been examined by the learned Sessions Judge.

2. Perused the copies of deposition of witnesses. It is not advisable to sit over the evidence already recorded by the trial Court. Once the trial starts, it should be on a day-today basis as contemplated under Section 309 of Cr.P.C. As

majority of witnesses have been examined, the learned Judge to take the same to its logical end at the earliest.

With the above observation, present Petition is **disposed of.**

Send a copy of this order to the trial Court at the earliest

Sd/-JUDGE

*bk/-