IN THE HIGH COURT OF KARNATAKA AT BANGALORE DATED THIS THE 11^{TH} DAY OF NOVEMBER 2014

BEFORE

THE HON'BLE MR. JUSTICE A.V.CHANDRASHEKARA

CRIMINAL PETITION No.6769/2014

BETWEEN:

SMT. DURUGAMMA
W/O SIDDAPPA,
AGED ABOUT 40 YEARS,
CASTE:NAYAKA,COOLIE WORK,
R/O 4TH MAIN,4TH CROSS,
VINOBA NAGARA,
DAVANAGERE-577 003 ... PETITIONER

(By Sri VISHWAJITH RAI M, ADV.)

AND

STATE OF KARNATAKA BY P.S.I
MALEBENNUR POLICE STATION,
MALEBENNUR,
REPTD.BY ITS S.P.P.
HIGH COURT BUILDING,
BANGALORE-560 001 ... RESPONDENT

(By Sri K Nageshwarapp, HCGP)

THIS PETITION IS FILED U/S.439 CR.P.C BY THE ADVOCATE FOR THE PETITIONER PRAYING THAT THIS HON'BLE COURT MAY BE PLEASED TO ENLARGE THE PETITIONER ON REGULAR BAIL IN

CRIME NO.133/2014 FOR THE OFFENCE P/U/S 366(A) 317, 370(A), 372, 373, 374, 376,342,313 R/W 149 OF IPC AND SEC. 3,4,5,6, FOR ITPA ACT., AND SEC.3(2)(V) OF SC/STs (PA) ACT 1989, WHICH ARE PENDING IN MALEBENNUR P.S., MALEBENNUR.

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

ORDER

Petitioner is accused no.2 in criminal case bearing crime no.133/14 on the file of Malebbennur Police Station. There are in all 5 accused. Offences alleged against them are punishable under Sections 366(A), 317, 370(A), 372, 373, 374, 376, 342, 313 read with 149 IPC and Sections 3 to 6 of ITPA Act. She is in judicial custody since two months. Hence, regular bail petition is filed on her behalf.

2. The allegation against this petitioner, as could be seen from the first information lodged by victim girl Nethravathi is that, this petitioner is her close relative and she had sent her to Bangalore in order to work as a maid servant in the house of accused no.1. The said accused no.1 who is in judicial custody is stated to have used her for prostitution and thus, she has earned money for a period of six years. The main allegation against accused no.1 is that she was used the victim/girl for prostitution for a period of six years. Being unable to come out of the clutches of accused no.1 for several years and after having escaped from the clutches of accused no.1, complainant came back and chose to file the first information on 11.09.2014.

3. Petitioner is a resident of Davangere Town having a handicapped child. Her husband is stated to have deserted her. In the light of accused no.1 having been apprehended and substantial investigation being over, the apprehension of the learned Government Pleader who has vehemently opposed the bail application could be properly met by imposing suitable conditions.

- 4. In this view of the matter, petition is allowed and bail is granted to the petitioner, subject to the following conditions:-
 - (i) Petitioner shall be released on bail on she executing a personal bond for a sum of Rs.1,00,000/- with one surety, for the likesum to the satisfaction of the learned Sessions Judge.
 - (ii) She shall not hold out threat to the prosecution witnesses in any manner.
 - (iii) She shall not involve herself in any criminal activities.

SD/-JUDGE

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