

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF SEPTEMBER, 2022

BEFORE

THE HON'BLE MR. JUSTICE K.NATARAJAN

CRIMINAL PETITION NO.8208 OF 2022

BETWEEN

SRI RANGEGOWDA T R
S/O LATE RANGANAYAKA
AGED ABOUT 49 YEARS
R/AT TAGGIKUPPE KASABA HOBLI
MAGADI TLAUK
RAMANAGARA DISTRICT

... PETITIONER

(BY SRI V B SIDDARAMAIAH ADVOCATE)

AND

THE STATE OF KARNATAKA
BY MAGADI POLICE
REP BY ITS STATE PUBLIC PROSECUTOR
HIGH COURT COMPLEX
BANGALORE 560001

...RESPONDENT

(BY SRI R.D. RENUKARADHYA, HCGP)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 439 OF THE CODE OF CRIMINAL PROCEDURE, PRAYING TO ENLARGE THE PETITIONER ON BAIL IN CR.NO.146/2022 OF MAGADI P.S., RAMANAGARA DISTRICT FOR THE OFFENCE PUNISHABLE UNDER SECTIONS 418, 420, 114, 384, 201, 120B OF IPC AND SECTION 24(A), 115(A) OF KARNATAKA EDUCATION ACT AND 66 OF I.T ACT, PENDING ON THE FILE OF PRINCIPAL CIVIL JUDGE (JR.DN.) AND J.M.F.C., MAGADI IN C.C.NO.4356/2022.

THIS CRIMINAL PETITION COMING ON FOR ORDERS,
THIS DAY THE COURT MADE THE FOLLOWING:

ORDER

This petition is filed by the petitioner-accused No.1 under Section 439 of Cr.P.C., for granting regular bail in Crime No.146/2022 registered by Magadi Police Station, Ramanagara, now pending on the file of Prl. Civil Judge (Jr.Dn.) and JMFC, Magadi in C.C.No.4356/2022 for the offences punishable under Sections 417, 418, 420, 201, 120B of IPC, Sections 24(A), 115(A) of the Karnataka Education Act, 1983 and Section 66 of the Information Technology Act, 2000.

2. Heard the arguments of learned counsel for the petitioner and learned High Court Government Pleader for the respondent-State.

3. The case of the prosecution is that the complainant-Deputy Director of Public Instructions (DDPI), Ramanagar District has filed complaint to the Police on 24.05.2022 alleging that this petitioner is said to be working as clerk in Magadi Kempegowda High School, Magadi and there was SSLC examination conducted by the

State between 28.03.2022 and 11.04.2022. This petitioner in collusion with accused No.5 who is the Head Master of the School took the photocopy of the question paper, taken print out and supplied to accused Nos.6 to 8 who were the teachers working in the said School and later the accused Nos.8 to 10 who are the teachers said to be prepared the answers and supplied to the students who wrote examination in the examination hall. Subsequently, the fact of taking the photograph of the question paper, leaking the same was came to the knowledge of accused Nos.3 and 4 who are the press people and they also said be extorted the amount from accused Nos.1 and 2 to the tune of Rs.10,000/- and Rs.2,500/- each. After registering the case, this petitioner was arrested on 24.05.2022 and on his voluntary statement, the other accused were also arrested and now all the accused persons granted bail by this Court and the Co-ordinate Bench of this Court. Hence, he is before this Court.

4. Having heard the arguments and on perusal of the records, which reveals, of course, this petitioner is the main accused who took photograph of the question paper, sent to the accused No.2 and in turn, the answers were prepared by accused Nos.8 to 10 and supplied to the students for getting more marks in the SSLC examination in Science paper. After his arrest, all the other accused persons were arrested and they have been granted bail by this Court and only this petitioner is before this Court for grant of bail. Considering the facts and circumstances of the case, investigation is completed and charge-sheet has been filed. He is in custody for nearly 4 months. The main accused persons were already granted bail. The Police have not chosen to arrest or examine any of the management of the private school except filing the charge-sheet against the workers and the teachers apart from the Head Master of the school. Therefore, considering the facts and circumstances of the case, by imposing certain conditions, if bail is granted, no prejudice would be caused to the case of the prosecution.

5. Accordingly, Criminal Petition is ***allowed***.

The Trial Court is directed to release the petitioner-accused No.1 on bail in Crime No.146/2022 registered by Magadi Police Station, Ramanagara, now pending on the file of Prl. Civil Judge (Jr.Dn.) and JMFC, Magadi in C.C.No.4356/2022 for the offences punishable under Sections 417, 418, 420, 201, 120B of IPC, Sections 24(A), 115(A) of the Karnataka Education Act and Section 66 of the Information Technology Act, subject to the following conditions:

- (i) Petitioner-accused No.1 shall execute a personal bond for a sum of Rs.2,00,000/- (Rupees Two Lakh only) with two sureties for the likesum to the satisfaction of the trial Court;*
- (ii) Petitioner shall not indulge in similar offences strictly;*
- (iii) Petitioner shall not tamper with the prosecution witnesses directly/indirectly;*

*(iv) Petitioner shall not leave the jurisdiction
without prior permission of the Court.*

*If any of the above conditions are violated, the
prosecution is at liberty to seek cancellation of this bail
order.*

**Sd/-
JUDGE**

GBB