

# Mr Manjunath P vs State By Karnataka By on 21 June, 2024

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NC: 2024:KHC:22379  
CRL.P No. 5476 of 2024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF JUNE, 2024

BEFORE

THE HON'BLE MRS JUSTICE M G UMA

CRIMINAL PETITION NO. 5476 OF 2024

BETWEEN:

MR. MANJUNATH .P.  
S/O PUTTASWAMY  
AGED ABOUT 31 YEARS,  
RESIDING AT NO.683,  
DODDA ARALIMARA,  
ALANJIKATTE, B. HUTTAGALLI,  
MYSURU - 570 018  
(NOW IN JUDICIAL CUSTODY  
SINCE 18.04.2024)

Digitally signed  
by BHARATHI S  
Location: high  
court of  
karnataka

...PETITIONER

(BY SRI. S. SHEHINSHA ALI, ADVOCATE)

AND:

STATE BY KARNATAKA BY  
VIJAYANAGARA POLICE STATION  
MYSURU CITY, KARNATAKA  
REPRESENTED BY SPP  
HIGH COURT BUILDING,  
BENGALURU - 1.

...RESPONDENT

(BY SMT. K.P. YASHODHA HCGP)

THIS CRL.P IS FILED U/S.439 CR.P.C PRAYING TO ENLARGE  
THE PETITIONER ON BAIL IN CR.NO.74/2024 OF VIJAYANAGAR P.S.  
MYSURU CITY FOR THE OFFENCE P/U/S 363, 370(1), 370(4) OF IPC  
ON THE FILE OF THE V J.M.F.C COURT MALALAVADI JAYANAGARA  
MYSURU CITY.

THIS CRL.P, COMING ON FOR ORDERS, THIS DAY, THE COURT  
MADE THE FOLLOWING:

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ORDER

The petitioner-accused No.1 is before this Court seeking grant of bail under Section 439 of Cr.P.C. in Crime No.74/2024 of Vijayanagar Police Station, Mysore, pending on the file of the learned Vth JMFC Court, Malalavadi, Jayanagara, Mysuru City, registered for the offences punishable under Sections 363, 370(1), 370(4) of the Indian Penal Code (for short 'IPC'), on the basis of the first information lodged by the informant - Ramdalli Devi.

2. Heard Sri S. Shehinsha Ali learned counsel for the petitioner and Smt. K.P. Yashodha, learned High Court Government Pleader for the respondent -State. Perused the materials on record.

3. In view of the rival contentions urged by the learned counsel for both the parties, the point that would arise for my consideration is:

"Whether the petitioner is entitled for grant of bail under Section 439 of Cr.P.C.?"

My answer to the above point is in 'Negative' for the following:

NC: 2024:KHC:22379 REASONS

4. The petitioner being accused No.1 is seeking grant of bail. He was apprehended on 18.04.2024 and since then, he is in judicial custody. The first information came to be filed against unknown persons. During investigation, the present petitioner along with three other accused were apprehended. The specific allegations made against the petitioner is that, he along with accused No.2 kidnapped the child and taken to the house of accused No.3. Later, the child was rescued. Accused No.3 was granted bail, considering the fact that it was accused Nos. 1 and 2, who kidnapped the child. Therefore, the benefit of parity cannot be extended to the present petitioner. Investigation is still in progress, and the charge sheet is not yet filed. Hence, I am of the opinion that the petitioner is not entitled for grant of bail at this stage. Accordingly, the petition is dismissed.

Sd/-

JUDGE SPV