

Sri Shivakumar vs State of Karnataka

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Court : Karnataka Orders

Decided On : Jul-01-2025

Judge : S Vishwajith Shetty

Appeal No. : CRL.P/882/2025

Appellant : Sri Shivakumar

Respondent : State of Karnataka

Judgement :

-1-

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 1ST DAY OF JULY, 2025 BEFORE THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY CRIMINAL PETITION NO. 882 OF 2025 BETWEEN: SRI. SHIVAKUMAR, S/O VENKATANARASIMHAIAH, AGED ABOUT 24 YEARS, R/A AKALATHIMMANAHALLI VILLAGE, KASABA HOBLI, CHIKKABALLAPUR TALUK, CHIKKABALLAPUR DISTRICT - 563 101. PETITIONER (BY SRI. DEVENDRA N, ADVOCATE) AND:

1. STATE OF KARNATAKA

BY WOMEN POLICE STATION, CHIKKABALLAPUR, REPRESENTED BY STATE PUBLIC PROSECUTOR, Digitally signed HIGH COURT OF KARNATAKA, by SHARADAVANI BENGALURU - 560 001. B Location: High 2. XXX Court of XXX, Karnataka RESPONDENTS (BY SRI. RANGASWAMY R, HCGP FOR R1; VIDE COURT ORDER DATED 07.03.2025, SERVICE OF NOTICE TO R2 IS HELD SUFFICIENT)

THIS CRL.P IS FILED U/S 439 OF CR.P.C (U/S 483 BNSS) PRAYING TO ENLARGE HIM ON BAIL IN CR.NO.5/2024 LATER REGISTERED AS U/S 114, 324, 504, 366(A), 370(A), 370A(1), 370A(2), 376 (3) OF IPC, U/S 4(2),6,17 AND 21 OF POCSO ACT, 2012, U/S 75 OF JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) ACT, 2015, U/S 3(1)(w), 3(2)(v) -2-

OF THE SC/ST (POA) AMENDMENT ACT, 2015, REGISTERED BY CHIKKABALLAPUR WOMEN P.S., 1st RESPONDENT HEREIN AS BAIL APPLICATION FILED BY THE PETITIONER IN SPL.S.C.NO.63/2024 BEFORE THE COURT OF ADDITIONAL SESSIONS JUDGE AND FTSC-I [POCSOA], AT CHIKKABALLAPUR WAS REJECTED VIDE ORDER DATED 31.05.2024. THIS PETITION, COMING ON FOR ORDERS, THIS DAY,

ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

Learned counsel for the petitioner submits that in view of the order passed by this Court in Crl.P.No.6710/2024 disposed of on 02.09.2024, this petition may be dismissed as not pressed with liberty to the petitioner to renew his bail application after examination of the victim girl is completed before the Trial Court. He submits that petitioner is in custody from 24.01.2024. Therefore, Trial Court may be directed to expedite the trial after framing the charge and the victim girl may be examined on priority before the Trial Court.

2. Learned High Court Government Pleader fairly does not oppose the prayer made by learned counsel for the petitioner. -3-

3. Submission made on behalf of both the sides is placed on record.

4. Material on record would go to show that petitioner

is in custody since 24.01.2024. His earlier bail application in Crl.P.No.6710/2024 was dismissed as not pressed on 02.09.2024 with liberty to file a fresh petition after examination

of the victim girl is completed before the Trial Court. Order

sheet of the Trial Court in Spl.SC.No.63/2024 made available by learned counsel for the petitioner would go to show that though the case is at the stage of framing charge, for the last several dates of hearing, charges are not framed in the case.

5. Considering the fact that accused are in custody in

the present case, Trial Court is directed to expedite the trial and after framing the charges against the accused, efforts shall be made by the Trial Court and the prosecution to examine the victim girl on priority. Sd/- (S VISHWAJITH SHETTY)
JUDGE KAV List No.: 1 SI No.: 29/CT: BHK

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