

Keerthi vs the State of Karnataka

Keerthi vs the State of Karnataka

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Court : Karnataka

Decided On : Jul-31-2025

Judge : S Rachaiah

Appeal No. : CRL.A/282/2025

Appellant : Keerthi

Respondent : The State of Karnataka

Judgement :

-1-

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 31ST DAY OF JULY, 2025 BEFORE THE HON'BLE MR. JUSTICE S RACHAIAH CRIMINAL APPEAL NO. 282 OF 2025 U/S 14(A) (2)) BETWEEN: KEERTHI S/O. VENKATESH AGED ABOUT 25 YEARS PERMANENT RESIDENT OF KAMATAGERI, 2ND STAGE 2ND STREET, MANDI MOHALLA MYSURU, KARNATAKA - 570 021 (NOW IN JUDICIAL CUSTODY) UTP NO. 1416 APPELLANT (BY SRI. SUNIL KUMAR S., ADVOCATE) AND: Digitally signed by

SREEDHARAN

1. THE STATE OF KARNATAKA BANGALORE

2. SRI MANOJ KUMAR G N S/O.NARASIMAMURTHY G C @KURIMURTHY AGED ABOUT 27 YEARS R/A. OLD AK COLONY GUBBI TOWN, TUMKURU KARNATAKA - 572 129 RESPONDENTS -2- (BY SMT.RASHMI PATEL, HCGP FOR R1; R2 SERVED AND UNREPRESENTED) THIS CRIMINAL APPEAL IS FILED UNDER SECTION 14(A)2) OF SC/ST (POA) ACT PRAYING TO SET ASIDE THE

ORDER DATED 10.01.2025 IN SPL.C.C.NO.2877/2022 PASSED

BY THE HONBLE PRL.CITY CIVIL AND SESSIONS JUDGE, BENGALURU AND ENLARGE THE APPELLANT/ ACCUSED NO.7 ON BAIL IN CR.NO.131/2022 OF GUBBI P.S.FOR THE OFFENCE P/U/S 109,120(B),143,147,148,212,302,201 R/W 149 OF IPC AND SEC.3(2)(V) OF SC/ST (POA) ACT AND SEC.3(1)(i)(2)(3)(4) OF KCOCA -2000 WHICH IS NOW PENDING BEFORE THE HONBLE COURT OF THE PRL.CITY CIVIL AND SESSIONS JUDGE BENGALURU IN SPL.C.C.NO.2877.2022. THIS APPEAL, COMING ON FOR ORDERS, THIS DAY,

JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE S RACHAIAH

ORAL JUDGMENT

This appeal is filed by accused No.7, seeking for regular bail for the offences punishable under Sections 109, 120(B), 143, 147, 148, 212, 302, 201 read with Section 149 of I.P.C and Section 3(2)(V) of Scheduled Caste and Scheduled Tribe (POA) Act and also Sections 3(1)(i)(2)(3)(4) of KCOCA-2000.

2. It is the case of the prosecution that on 27.04.2022

at about 8.00 P.M. accused No.1 along with other accused had joined for dinner in Sy.No.93 of Bikkegudda Village in Gubbi -3- Taluk and entered into criminal conspiracy to murder the deceased. It is further alleged that all the accused have

committed murder of Narasimhamurthy.

3. The entire case is based on the statement of

accused No.1, who is a co-accused in this case. The said statements has to be rejected for the reason that the statement made by the accused against the co-accused when he was in judicial custody cannot be accepted. Moreover, the overt-act against the appellant has not forthcoming properly in the charge-sheet. Therefore, he may be enlarged on bail by imposing suitable conditions.

4. Per Contra, the learned High Court Government

Pleader submitted that the other accused who killed the deceased Narasimhamurthy conspired together and the appellant was one of the main accused involved in the said incident. Therefore, he is not entitled for any relief.

5. Having heard the learned counsel for the respective

parties and also perused the order of rejection passed by the Trial Court, it appears from the record that the accused No.7 is -4- stated to have assaulted the deceased with the long machete on the right rib of the deceased.

6. Though, the said allegations made against him in

the charge-sheet, the fact remains that, the entire story narrated by accused No.1 against other accused. Therefore, I am of the considered opinion that the appellant may be enlarged on bail by imposing suitable conditions that will take care of apprehension of the prosecution. Hence, I proceed to pass the following:

ORDER

i. The Criminal Appeal is allowed. ii. The appellant is enlarged on bail on executing the personal bond for a sum of Rs.1,00,000/- with one surety to the like sum of the satisfaction of the Trial Court. iii. The appellant shall mark his attendance before the respondent-Police on every fifteen days once till

conclusion of the Trial.

-5- iv. The appellant shall not tamper the prosecution witnesses nor hamper the proceedings of the Court. v. The appellant shall not leave the jurisdiction of the Court till disposal of the case. Sd/- (S RACHAIAH) JUDGE NM List No.: 2 SI No.: 1

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