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Ravi @ Raitha vs State of Karnataka

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Court : Karnataka Orders

Decided On : May-29-2025

Judge : Suraj Govindaraj

Appeal No. : CRL.P/7302/2025

Appellant : Ravi @ Raitha

Respondent : State of Karnataka

Judgement :

-1-

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF MAY, 2025 BEFORE THE HON'BLE MR JUSTICE SURAJ GOVINDARAJ CRIMINAL PETITION NO. 7302 OF 2025 BETWEEN: RAVI @ RAITHA S/O KALAPPA@ KATALINGAPPA AGED ABOUT 27 YEARES R/O KARIHATTI VILLAGE CHITHRADURAGA TALUK AND DISTRICT- 577 501 PETITIONER (BY SRI. SIDDAPPA B.M., ADVOCATE) AND:

1. STATE OF KARNATAKA BY SUB-INSPECTOR OF POLICE CHIKKAJAJUR POLICE STATION REP. BY THE STATE PUBLIC PROSECUTOR HIGH COURT BUILDING BENGALURU -560 001

Digitally signed by SHWETHA 2. MANJAMMA RAGHAVENDRA W/O BASAVARAJA KAGALAGERE, Location: HIGH COURT OF AGED: MAJOR KARNATAKA GOLLARAHATTI VILLAGE HOLALKERE TALUK CHITRADURAGA DISTRICT RESPONDENTS (BY SRI.SMT.WAHEEDA M.M., HCGP) THIS CRL.P FILED U/S 439 CR.PC (FILED U/S 483 BNSS), PRAYING TO ENLARGE THE PETITIONER ON BAIL IN CASE NO.SPL(POCSO)NO. 12/2025 IN CR.NO.230/2024 IN CHIKKAJAJUR POLICE U/S 137(2), 64(2)(M), 65(1) UNDER BNS ACT, SEC. 4, 6 AND -2- 18 UNDER POCSO ACT-2012, UNDER SEC 75 JJ ACT, AND ALSO U/S 9 OF PROHIBITION OF CHILD MARRIAGE ACT-2006 WHICH IS PENDING ON THE FILE OF THE SPECIAL 2ND ADDL. AND SESSIONS JUDGE, CHITRADURGA, IN BY ALLOWING THIS PETITION.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER

WAS MADE THEREIN AS UNDER: CORAM: HON'BLE MR JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. Learned HCGP accepts notice for respondent No.1.

2. Learned counsel *Sri. Harisha N.R. undertakes to appear for respondent No.2.

3. The petitioner is before this Court seeking for the following relief:

> " THEREFORE, it is respectfully prayed that this Honble Court may kindly be pleased to enlarge the petitioner on bail in case no. Spl(POSCO) no.12/2025 in Cr.No.230/2024 in Chikkajajur police under Sec 137(2), 64(2)(M), 65(1) under BNS Act, Sec 4, 6 & 18 under POSCO act- 2012, under Sec 75JJ Act and also under Sec 9 of the Prohibition of Child Marriage Act-2006 which is pending on the file Special 2nd Addl. And Sessions Judge, Chithradurga. In by allowing this petition, in the interest of justice and equity."

*Corrected vide Court order dated 09.06.2025 -3-

4. Respondent No.2 has filed FIR in Cr.No.230/2024

alleging that her daughter was missing. Subsequently, investigation has been completed and chargesheet has been laid for offences under Section 137(2) of the BNS Act against the petitioner. The petitioner is before this Court seeking for regular bail on the ground that the petitioner has been in judicial custody from 12.12.2024. The investigation has been completed. There is no further custodial interrogation of the petitioner required.

5. Learned counsel for the respondent submits that the

complaint initially filed was one as regard her daughter being missing. The petitioner is the maternal uncle of the victim. There were talks of marriage between both of them which was held among the family members. At the time when the complaint was filed the respondent No.2 did not in any manner suspect the petitioner. His submission is that in far as respondent No.2 and her family is concerned, they -4- have no objections for the above application to be allowed since it has been agreed that the petitioner and the victim would marry each other. His further submission is that if the petitioner is continued to be in custody, the very marriage proposal would be put at risk. The complainant himself has come forward to contend that the petitioner may be released on bail considering that the petitioner and the victim are related to each other and are proposed to get married to each other.

6. In such circumstances, the petition filed under

Section 483 of Bharatiya Nagarik Suraksha Sanhita is allowed. The petitioner shall be released on bail in connection with Crime No.230/2024 of Chikkajajur Police Station, Holalkere Sub-Division for the offence punishable under Section 137(2) Bharatiya Nagarik Suraksha Sanhita, 2023 pending on the file of the Special II Addl. and Sessions Judge, Chithradurga, subject to the following conditions: -5-

i. The petitioner shall execute his personal bond for a sum of Rs.1,00,000/- with surety for the likesum to the satisfaction of the jurisdictional Court; ii. The petitioner shall appear before the Committal Court on every date of hearing;

iii. The petitioner shall co-operate in the conclusion

of the trial in the said proceedings. iv. The petitioner shall not threaten or tamper the prosecution witness/s in any manner. v. The petitioner shall not leave the jurisdiction of the trial Court without prior permission, till the case registered is disposed of. vi. The petitioner shall furnish list of movable and immovable property held by him to the said Court.

vii. The petitioner shall furnish his mobile number, WhatsApp number, E-mail ID (if available), to enable him to be contacted. He is directed not -6- to change any of the above until completion of trial. SD/- (SURAJ GOVINDARAJ) JUDGE BN List No.: 2 Sl No.: 35

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