

Mutharaj vs the State of Karnataka

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Court : Karnataka Orders

Decided On : Jul-30-2025

Judge : Mohammad Nawaz

Appeal No. : CRL.P/9460/2025

Appellant : Mutharaj

Respondent : The State of Karnataka

Judgement :

-1-

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF JULY, 2025 BEFORE THE HON'BLE MR. JUSTICE MOHAMMAD NAWAZ CRIMINAL PETITION NO. 9460 OF 2025 BETWEEN: MUTHARAJ S/O DASAPPA, AGED ABOUT 36 YEARS, R/AT: DONGANI DODDI VILLAGE, SHIVANAHALLI POST, KASABA HOBLI, KANAKAPURA TOWN, ...PETITIONER (BY SRI. B. LETHIF, ADVOCATE) AND:

1. THE STATE OF KARNATAKA

KODIHALLI POLICE STATION, Digitally RAMANAGARA DISTRICT, signed by REP. BY SPP, LAKSHMI T Location: HIGH COURT BUILDING, High Court DHARWAD-560 001. of Karnataka

2. LAKSHMAMMA W/O RAMAIAH, AGED ABOUT 41 YEARS, R/AT: HOSADURGA VILLAGE, KODIHALLI HOBLI, KANAKAPURA TALUK, RESPONDENTS (BY SRI. RANGASWAMY R., HCGP FOR R1; NOTICE ISSUED TO R2 IS HELD SUFFICIENT) -2- THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483

BNSS) PRAYING TO RELEASE THEM ON BAIL IN THE EVENT OF ARREST IN SPL.C.NO.144/2024 (CRIME NO.91/2024) OF WOMAN POLICE STATION CHIKKABALLAPURA FOR THE OFFENCE PUNISHABLE UNDER SECTION 363, 344, 376, 312 OF IPC AND U/S 4, 6 AND 19 OF POCSO ACT AND U/S 9 OF PROHIBITION OF CHILDREN MARRIAGE ACT PENDING ON THE FILE OF III ADDITIONAL DISTRICT AND SESSIONS JUDGE, RAMANAGARA. THIS PETITION, COMING ON FOR ORDERS, THIS DAY,

ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE MOHAMMAD NAWAZ

ORAL ORDER

This is a successive bail petition filed by the petitioner/accused No.1, praying to enlarge him on bail in Spl.C.No.144/2024 pending on the file of III Additional District and Sessions Judge, Ramanagara, arising out of Crime No.91/2024 of Kodihalli Police Station, Ramanagara.

2. Charge sheet is filed against accused Nos.1 and

2 for offences punishable under Section 363, 344, 376, 312 of IPC and Section 4, 6 and 19 of the POCSO Act, 2012 and Section 9 of the prohibition of Child Marriage Act, 2006. -3-

3. The learned counsel for petitioner would contend

that the grounds of arrest were not furnished to the petitioner, when he was arrested on 25.06.2024 and therefore, on that ground petitioner is entitled for bail.

4. Learned Additional SPP has furnished the copy

of the intimation with grounds of arrest, which is signed by the petitioner. This Court finds that there is compliance of the requirement by the Police and therefore, the contention of the learned counsel cannot be accepted.

5. It is relevant to see that, CrI.P No.3741/2025

filed by the petitioner was dismissed as not pressed, with liberty to renew the bail application after the victim girl was examined before the trial Court, as requested by the learned counsel for petitioner.

6. Since, this Court in the above criminal petition

has already permitted the petitioner to renew his bail application after the examination of the victim girl, -4- petitioner is at liberty to file a fresh petition for bail before the Sessions Court, once the evidence of the victim girl is completed. With the above observation, petition is disposed of. Sd/- (MOHAMMAD NAWAZ)
JUDGE HB List No.: 1 SI No.: 26

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