SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com

Shankar M vs State of Karnataka

Shankar M vs State of Karnataka

SooperKanoon Citation : sooperkanoon.com/1873528

Court : Karnataka

Decided On : Nov-29-2024

Judge : Shivashankar Amarannavar

Appeal No. : CRL.A/310/2024

Appellant : Shankar M

Respondent : State of Karnataka

Judgement :

-1-

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF NOVEMBER, 2024 BEFORE THE HON'BLE MR JUSTICE SHIVASHANKAR AMARANNAVAR CRIMINAL APPEAL No. 310 OF 2024 BETWEEN: SHANKAR M S/O LATE MALLAIAH AGED ABOUT 43 YEARS R/A No.223, 4TH CROSS SHIVANANDANAGARA MUDALAPALYA BENGALURU - 560 072. APPELLANT (BY SRI PRASANNA KUMAR P, ADVOCATE) AND:

1. STATE OF KARNATAKA

BY CHANDRA LAYOUT POLICE STATION Digitally signed by LAKSHMINARAYANA KENGERI GATE SUB - DIVISION MURTHY RAJASHRI

BENGALURU Location: HIGH COURT OF REPRESNETED BY STATE PUBLIC PROSECUTOR KARNATAKA HIGH COURT BUILDING DR BR AMBEDKAR VEEDHI BENGALURU - 560 001.

2. SMT. RATHNAMMA

W/O VENKATARAMAPPA AGED ABOUT 55 YEARS RESIDING AT 35/6 BEHIND COLLECTOR BUNGALOW GANDHINAGARA -2- RAILWAY STATION ROAD HOSURU, KRISHNAGIRI TAMIL NADU - 635 109. RESPONDENTS (BY SRI K NAGESHWARAPPA, HCGP FOR R1) THIS CRL.A IS FILED UNDER SECTION 14(A)(2) OF

SC/ST (POA) ACT PRAYING TO SET ASIDE THE ORDER DATED 03.01.2024 PASSED BY THE LEARNED LXX ADDITIONAL CITY CIVIL AND SESSIONS JUDGE AND SPECIAL JUDGE BENGALURU THEREBY REJECTING THE BAIL APPLICATION FILED BY THE APPELLANT/ACCUSED HEREIN UNDER SECTION 439 OF CODE OF CRIMINAL PROCEDURE 1973 IN RESPECT OF THE CASE IN SPL.C.No.2202/2023 OF THE 1ST RESPONDENT/CHANDRA LAYOUT P.S REGISTERED FOR THE OFFENCE PUNISHABLE UNDER SECTION 302 OF IPC AND SECTION 3(2)(v) OF SC/ST

(POA) ACT AND CONSEQUENTLY RELEASE THE APPELLANT ON BAIL AND ETC., THIS APPEAL COMING ON FOR ADMISSION THIS DAY,

JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR JUSTICE SHIVASHANKAR AMARANNAVAR

ORAL JUDGMENT

Learned counsel for the appellant files a memo seeking withdrawal of the appeal stating that the appeal becomes infructuous.

2. Memo reads thus The appellant in the above matter humbly submits as follows: -3-

The present appeal is filed seeking setting aside of order dated 03.01.2024 thereby rejecting the bail application filed by the appellant for offences under section 302 IPC and sec.392)(v) of SC/ST Prevention of Atrocities Act and consequently release the appellant on bail in Spl C 2202/2023. The appellant has been aquitted by the Learned LXX Addl City Civil and Sessions Judge in Spl C 2202/2023 vide order dated 20.08.2024 and hence the present appeal has become infructuous. The same may kindly be taken on record in the interest of justice and equity.

3. In view of the memo, the appeal dismissed as infructuous. Sd/- (SHIVASHANKAR AMARANNAVAR) JUDGE DSP List No.: 1 Sl No.: 6

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com