

Nagesh Vs. State of Karnataka

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Court : Karnataka

Decided On : Oct-01-2009

Reported in : 2010(1)KarLJ291

Judge : Jawad Rahim, J.

Acts : [Code of Criminal Procedure \(CrPC\) , 1973](#) - Sections 389

Appeal No. : Miscellaneous Criminal No. 3981 of 2009 in Criminal Revision
Petition No. 772 of 2009

Appellant : Nagesh

Respondent : State of Karnataka

Advocate for Def. : Raja Subramanya Bhat, High Court Government Pleader

Advocate for Pet/Ap. : Mohan Bhat, Adv.

Judgement :

ORDER

Jawad Rahim, J.

1. Heard the learned Counsel for petitioner application filed under Section 389 of the Criminal Procedure Code, 1973, by which the suspension of sentence is sought. Perused the grounds urged therein.

2. Considering the grounds urged in support of the application and other attending circumstances, I am satisfied that the petitioner has made out a case. Hence, the order regarding sentence in C.C. No. 4768 of 2004 passed by the learned II Additional Civil Judge (Junior Division) and Judicial Magistrate First Class, Bhadravathi dated 30-10-2008 and confirmed by the judgment in Criminal Appeal No. 118 of 2008 passed by the learned Sessions Judge, Shimoga, dated 20-8-2009, be and the same is hereby suspended subject to the following conditions:

(i). The petitioner is directed to execute a bond in a sum of Rs. 25,000/- with one surety in the like sum, to the satisfaction of the learned Trial Judge within a period of four weeks from now;

(ii) He shall not leave the jurisdiction of Sessions Court within which he resides without prior permission.

Accordingly, the Misc. Cri. No. 3981 of 2009 is disposed of.

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