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IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 22ND DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.NAGAPRASANNA

CRIMINAL PETITION NO. 15356 OF 2025

BETWEEN:

SHASHI KUMAR @ SHASHI POOJARY
S/O VIJAY AMIN,
AGED ABOUT 28 YEARS (AS PER CHARGE SHEET)
R/AT GANESH NIVAS,
K S RAO NAGAR,
KOLNADU MULKI, MULKI
MANGALORE CITY - 574 154

...PETITIONER

(BY SRI. DILRAJ JUDE ROHIT SEQUEIRA, ADVOCATE)

AND:

Digitally signed by SANJEEVINI J KARISHETTY
Location: High Court of Karnataka

THE STATE OF KARNATAKA
REPRESENTED BY STATION HOUSE OFFICER,
MALPE POLICE STATION,
THE STATE PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA,
BANGALORE - 560 001

...RESPONDENT

(BY SRI. B.N. JAGADEESHA, ADDL. SPP)

THIS CRL.P IS FILED U/S 439(1)(b) OF CR.P.C. (FILED U/S 483(1)(b) OF BNSS) BY THE ADVOCATE FOR THE PETITIONER PRAYING THAT THIS HONOURABLE COURT MAY BE PLEASED TO MODIFY/RELAX THE CONDITIONS IMPOSED BY THE HONOURABLE COURT OF PRINCIPAL DISTRICT AND SESSIONS JUDGE AT UDUPI, AT UDUPI WHILE GRANTING THE

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RELIEF OF ANTICIPATORY BAIL IN CRL. MISC. CASE NO. 40/2025 DATED 12/02/2025 TO THE PETITIONER BY GRANTING TIME TO COMPLY THE SAME IN CONNECTION WITH C.C.NO.731/2024, ARISING OUT OF CRIME NO.102/2018 DATED 06/08/2018, FOR THE OFFENCES PUNISHABLE UNDER SECTION 384, 507, 506 AND 34 OF IPC, PERTAINING TO MALPE POLICE STATION, PENDING ON THE FILE OF THE HONOURABLE COURT OF COURT OF 1ST ADDITIONAL CIVIL JUDGE (JR. DN.) AND J.M.F.C. COURT, UDUPI DISTRICT, UDUPI.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: **HON'BLE MR. JUSTICE M.NAGAPRASANNA**

ORAL ORDER

The petitioner is before this Court, seeking the following prayer:

> "Wherefore, considering the facts and circumstances of the case, it is most humbly prayed before this Honourable Court that this Honourable court may kindly be please to modify/relax the conditions imposed by the Honourable court of Principal District and Sessions Judge, Udupi at Udupi while granting the relief of anticipatory bail in Crl. Misc. Case No.40/2025 dated 12/02/2025 to the petitioner by granting time to comply the same in connection with C. C. No.731/2024, arising out of Crime No. 102/2018 dated 06/08/2018, for the offences punishable under Section 384, 507, 506 and 34 of IPC, pertaining to Malpe Police Station, pending on the file of the Honourable Court of Court of 1st Additional Civil Judge (Jr.Dn.) and J.M.F.C. Court, Udupi District, Udupi, in the interest of justice and equity."

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2. The prayer does not indicate what conditions should be relaxed. What can be inferred on the perusal of the prayer is all the conditions should be relaxed.

3. There was no representation on behalf of the petitioner on 15.04.2026. The matter was listed today as a last chance. Even today, there is no representation on behalf of the petitioner.

4. The bail is granted on certain conditions. The conditions imposed are as follows:

"**ORDER**

The petition U/Section 438 of Cr.P.C. is hereby allowed.

In the event of arrest of the petitioner in Crime No.102/2018 of Malpe Police Station (C.C. No.731/2024 on the file of I Addl. Civil Judge & JMFC, Udupi), he shall be released on bail subject to following conditions:

(1) He shall execute bail bond for the value of Rs.1,00,000/- with one surety for like sum.

(2) He shall not involve in any criminal activities

(3) He shall attend the trial regularly, without fail.

(4) He shall not offer any threat or inducement either to the victim or to the witnesses.

(5) He shall mark his attendance before the complainant police on second Sunday of every month between 10.00 a.m. and 5.00 p.m. until conclusion of trial in the said case.

(6) He shall file an affidavit disclosing particulars of his mobile handset and SIM Card being used. In case he is found using either a different handset or the SIM Card, his bai

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bonds stands forfeited forthwith without further reference.

(7) He shall keep the 'location' turned on in his mobile so as to be available to the Investigating Officer."

5. All other conditions cannot be interfered with except the last one, which directs the petitioner to keep his location on, on his mobile and share the live location with the Investigating Officer. This cannot be a condition that can be imposed for grant of bail, while other conditions are.

6. In that light, the said condition No.7 stands quashed.

With the aforesaid observations, the petition stands disposed.

Ordered accordingly.

Sd/-
(M.NAGAPRASANNA)
JUDGE

SJK
List No.: 3 Sl No.: 7
CT:SG

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