

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

[SMT. BHAVANI REVANNA VS. THE STATE OF KARNATAKA]

**KSDJ**

07.06.2024

(VIDEO CONFERENCING / PHYSICAL HEARING)

**ORDER**

Petitioner, a married woman is implicated as an accused in Crime No.149 of 2024 of K.R.Nagar Police Station, Mysore Rural Sub-Division, Mysore. This crime is registered for the offences punishable u/ss. 364A, 365 & other provisions r/w Sec.34 of IPC. The learned LXII Addl. CMM Bengaluru having rejected her petition in Crl.Misc.4765/2024 filed u/s.438 of Cr.PC 1973, the rejection order dated 31.05.2024 avails on the record. Hence this petition.

2. Learned Sr. Advocate Mr.Sandesh Chouta appearing for the petitioner has made out a case for issuance of notice to the State and to the complainant/informant. Learned Spl. Public Prosecutor

Mr.Ravi Verma Kumar on request accepts notice for the State. Issue emergent notice to the other respondent.

3. Some submissions are made both by the learned Sr. Advocate appearing for the petitioner and learned Spl. Public Prosecutor. The matter requires a deeper consideration after filing of objections as rightly submitted by both the sides. In the meanwhile, the learned Trial Judge has issued a warrant of arrest and therefore Mr. Chouta is justified in arguing that there is all likelihood of arrest & detention of the petitioner and if that happens, petition may be rendered infructuous. Therefore he seeks reprieve in terms of application in I.A.No.1/2024 which is supported by a memorandum of facts filed by the counsel on record. The petitioner agrees to the imposition of any conditions by this court and assures their scrupulous compliance. However learned Spl. Public Prosecutor opposes the grant of any interim relief contending that a *prima facie* case against the accused arises from the record and that the petitioner is not

coming forward for investigation despite notice. He adds that the petitioner is likely to threaten witnesses and destroy evidence supportive of the prosecution.

4. As already observed above, the matter merits a deeper examination at the hands of this court after the filing of objections and perusal of police records. No prejudice would be caused to anyone if an interim anticipatory bail is accorded to the petitioner subject to stringent conditions and accordingly she is granted one subject to the following conditions:

(i) Petitioner shall appear before the jurisdictional police/IO at 1.00 p.m. today and on all the subsequent days and fully co-operate with the investigation process. However, she shall not be retained by the State-respondent Police after 5.00 p.m.

(ii) Petitioner shall not enter or hover near K.R.Puram Taluk nor the entire Hassan District nor shall do anything that would adversely affect investigation, and the prosecution if launched.

(iii) Since this is only an advance bail and not any price, no celebration or procession or the like shall be ventured by the petitioner or anyone.

(iii) All other usual conditions of bail/anticipatory bail shall be deemed to have been stipulated.

(iv) Since this is only an advance bail order granted in discretion pending disposal of main matter, and not any prize, no celebration, procession or the like shall be ventured by the petitioner or anyone.

It is open to the prosecution not only to ensure compliance of the above conditions, but also to seek recall of this order if they are breached.

Post this matter on 14.06.2024. In the meanwhile, the warrant of arrest issued by learned 42<sup>nd</sup> ACMM in the pending criminal case is kept in abeyance.

**Sd/-  
(KRISHNA S DIXIT)  
JUDGE**