
(2017) 09 KAR CK 0021
In the Karnataka High Court
Case No : 5498 of 2017

Shaheed @ Mohammad

APPELLANT

Vs

The State of Karnataka

RESPONDENT

Date of Decision : 08-09-2017

Acts Referred:

[Code of Criminal Procedure, 1973](#), [Section 164](#) - Recording of confessions and statements
[Indian Penal Code, 1860](#), [Section 420](#),
[Section 376\(2\)](#) - Chea

Citation : (2017) 09 KAR CK 0021

Hon'ble Judges : Rathnakala

Bench : SINGLE BENCH

Advocate : Shiva Prasad. Y.S., Chetan Desai

Final Decision : Allowed

Judgement

1. Heard the learned counsel for the petitioner and the learned HCGP for the respondent.
2. The petitioner is in judicial custody since 02.06.2017 in crime No.109/2017, registered by the respondent police. During the pendency of the petition charge sheet is submitted to the court in respect of the offence punishable under Sections 376 (2) and 420 of IPC.
3. The allegation is, the petitioner developed/acquaintance with the victim, assured to marry her and by persuading her, committed sexual intercourse with her.
4. Perused the charge sheet papers. As per the medical report the victim had physical contact with the accused on and off since one year and one month back was her last contact with him.
5. Learned counsel for the petitioner submits that petitioner is a young person aged 20 years, under Section 164 of Criminal Procedure Code, statement of the

victim girl is already recorded. In that view of the matter, the question of threatening/winning over the witnesses will not arise. He undertakes to abide by any condition that may be imposed on him by this Court and not to threaten the prosecution witnesses either directly or indirectly.

6. Investigation since complete and if the presence of the petitioner can be secured before the Court on hearing dates, there is no impediment to allow the petition. Petition is allowed. Petitioner is enlarged on bail in Crime No. 109/2017 registered by the respondent police subject to the following conditions.

(i) He shall execute a self bond for a sum of Rs.1,00,000/- with one surety for the likesum to the satisfaction of the concerned court.

(ii) He shall attend the court on all hearing dates regularly.

(iii) He shall not threaten/approach the victim/CW-1 directly or telephonically.