

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 23RD DAY OF AUGUST, 2011

BEFORE

THE HON'BLE MR. JUSTICE L. NARAYANA SWAMY

CRIMINAL PETITION No.4347 OF 2011

Between:

B.V.Keshva
S/o Venkatakrishna,
Aged about 37 years,
Advocate & Notary,
Government of India,
Office at Panja of
Ivathoklu Village,
Sullia Taluk, D.K.

...Petitioner

(By Sri.M.Narayanappa, Advocate)

And:

The State through P.S.I.
Subramanya Police Station,
Sullia Taluk, D.K.,
Represented by P.P.,
Fast Track Court,
Puttur, D.K.

... Respondent

(By Sri.H.S.Chandramouli, SPP)

This Criminal Petition is filed under Section 438 of Cr.P.C praying to enlarge the petitioner on bail in the event of his arrest in Crime No.30/2011 of Subramanya Police

Station, Sullia Taluk, D.K. for the offences punishable under Sections 255, 467 and 468 of IPC.

This Petition coming on for Orders this day, the Court made the following:-

ORDER

On the memo filed by the learned counsel for the petitioner, matter is posted today for being-spoken-to.

2. Learned counsel for the petitioner made available the report of the Investigating Officer and submitted that there is a finding made by the IO stating that no incriminating material like stamp paper, etc. are found. Therefore, he submitted to recall the order dated 16.8.2011 and grant anticipatory bail to the petitioner.

3. Learned SPP appearing on behalf of the respondent - State submitted that the petitioner has already been released by the police under Section 169 of Cr.P.C. Therefore, again question of granting anticipatory bail does not arise.

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4. I have heard learned counsel for the petitioner as well as learned SPP for respondent - State. In the light of the above submissions, the order dated 16.8.2011 is recalled. Since the petitioner is already granted bail by the police under Section 169 of Cr.P.C, question of further arresting the petitioner does not arise, therefore granting anticipatory bail is not required at this stage. Accordingly, petition stands disposed of.

Sd/-
JUDGE

AHB