

**IN THE COURT OF THE II ADDL. DISTRICT & SESSIONS
JUDGE, MYSURU**

Present: Sri.Jerald Rudolph Mendonca B.A.L., LL.B.,

Dated this the 27th day of January 2020

Crl.Mis.No.67/2020 & 88/2020

Petitioner in Crl.Misc.No.67/2020

Nalini B. D/o M.Balakumar, aged about 26
years r/at No.929, 5th Main, 10th Cross, 'E' &
'F' Block, Ramakrishnanagar, Mysuru.

(By Sri.C.S.Dwarakanath, Advocate)

Petitioner in Crl.Misc.No.88/2020

Maridevaiah S. S/o Shivanna, aged about
45 years r/at Jompanahalli village,
Hampapura Hobli, H.D.Kote Taluk, Mysuru
District.

(By Sri.K.C.Raghunath, Advocate)

V/S

RESPONDENT IN BOTH THE CASES:

State by Jayalakshmipuram Police Station,
represented by Public Prosecutor.

(By Public Prosecutor)

COMMON ORDER

These Petitions are filed by the Petitioners under Section 438 of Cr.P.C., praying to direct the Respondent Police to release them on bail in the event of their arrest in connection with Cr.No.2/2020 registered by the Respondent Police for the offence punishable under Section 124(A) r/w 34 of IPC.

2. The common arguments were heard in respect of both these petitions and the petitions arise out of the same crime number. Therefore, both the petitions are disposed of by common Order.

3. The case is registered on the complaint of Sri.Mahendra M.V., the Police Constable of Jayalakshmipuram Police Station Mysuru. It is stated that on 08.01.2020, a Protest Rally was organized by the Dalith Student Union, Mysuru University, Research Scholars Association, Bahujana Vidyarthi Sangha, Mysuru, SFI, AIDS0, to protest against the attack on the students of Jawaharalal Nehru University on 05.01.2020 demanding the immediate arrest of the culprits. It is stated that no permission is obtained from the Police. The Organizers had not given any information about the holding of the protest to the Police. Therefore, the Police were not aware about the organizing of the said protest. An information was received at about 6.30 p.m. that the torch light

procession is being taken out from the main entrance of the University and the protestors are shouting slogans by exhibiting the placards. When the Police reached the spot, the protestors had left the spot. Later on viewing the video clips and photographs of the said protest, it was noticed that in the group in the back side a person was sitting holding a placard containing the writing 'Free Kashmir'. A news item was also published in some of the news papers in this regard. Therefore, it is stated that at the time of the protest in order to create and instigate and hatred towards the Government, the said placard was exhibited. It is stated that there are chances of the breach of public peace and law and Order due to this act. Therefore, the Organizers of this protest by name Maridevaiah and others have committed offence of Sedition punishable under Section 124(A) of IPC.

4. The Petitioner Nalini B. in Crl.Misc.No.67/2020 has stated in the application as follows:

- (i) She has given her educational qualification and has stated that she is presently pursuing her Masters Designs Degree at National Institute of Designs, Gandhinagar, Gujarath. She is born and brought up and is a resident of Mysuru. She hails from a well educated family and always believed in fundamental rights, freedom of speech and in the

principles of the Constitution of India. She was present in the protest out of her own will. She was not a part of organizing or mobilizing the people for the protest. She has not been paid any money to participate in the protest. She has not committed any offence and is innocent of the offence alleged against her. She is a law abiding citizen having no connection, affiliation or membership with any organization.

- (ii) The Petitioner has been following the news about the State of Kashmir since few months. There has been a report that there has been Internet Shutdown, Health care crisis and restriction and the movement of the people. Her sole concern of the common people of the Kashmir. The poster 'Free Kashmir' was the way of requesting the Government to normalize the situation in the State of Jammu and Kashmir and worked towards the lifting of restrictions. She had held the poster to show the solidarity with the people of Kashmir.
- (iii) The Petitioner has taken full responsibility that she was the one holding the 'Free Kashmir' placard at the protest. The placard meant to convey that it has been 156 days since the abrogation of Article 370 in the State of Jammu and Kashmir and they

have been silenced ever since. People have not heard from Kashmiris for 5 months and 2 days since the Internet shutdown. Petitioner wanted to remember and remind people that coming out to the streets to protest against the CAA, NRC NPR is a privilege they have. People have been able to amplify their voices against CAA, NRC, NPR, while the Kashmir remains to be in darkness.

- (iv) The Petitioner has stated that due to media pressure and relentless reporting there is a threat of her being arrested. The poster has been misrepresented and the Petitioner is portrayed as a criminal.
- (v) The Petitioner is a permanent resident of Mysuru City. Her father is a retired Reader-cum-Research Officer at Central Institute of Indian Languages. Her brother is a Law Graduate. The Petitioner or her family do not have any political background or affiliation to any organization.
- (vi) The Petitioner has undertaken to abide by the terms and conditions that may be imposed on her by this Court. Therefore, the Petitioner has prayed to allow the application and grant her the anticipatory bail.

5. The Petitioner Maridevaiah S. in Crl.Misc. No.88/2020 has stated in the application as follows:

- (i) He is innocent of the offence alleged against him. The theory narrated in the FIR is the imagination of the Complainant, that has no relevancy to the facts. He has been falsely implicated.
- (ii) He is a Ph.D. student in the University of Mysuru and is also the President of Dalith Research Scholar Association, Mysuru. The Petitioner is the permanent resident of Mysuru got aged parents and is the only Bread Earner for his family.
- (iii) The offence alleged is not punishable with death or imprisonment for life. The Prosecution has failed to make out the prima facie case for the offence under Section 124(A) of IPC.
- (iv) The Petitioner apprehends arrest and therefore has filed the application seeking anticipatory bail. The Petitioner has undertaken to abide by the conditions that may be imposed by the Court for granting anticipatory bail. Therefore, the Petitioner has prayed to allow the application.

6. The learned Public Prosecutor has filed the objections to both the above petitions and the contentions

taken by the Prosecution in the objections in both the petitions are similar which are as follows:

- (i) The Prosecution has stated the facts of the case in brief. The offence alleged is heinous, non bailable and is triable by the Court of Sessions and can be punished with the life imprisonment and fine. The investigation till date shows that the Petitioners have prima facie committed the alleged offence.
- (ii) The Petitioner Maridevaiah and other Organizers has arranged the protest without taking prior permission from the Police. The publicity about the protest and call for participation was given by him in the social media. Therefore, it had facilitated to the Petitioner Nalini B. to participate in the said protest, hold the placard 'Free Kashmir' and commit the offence of sedition.
- (iii) If the bail is granted it would be an encouragement to the students to commit similar offence and the atmosphere in the University would be spoiled. The other students would lose the respect on law and may take wrong route.
- (iv) If the Petitioners are granted bail, the student might form similar Associations and involve in spoiling the atmosphere. The Petitioners might make the

University Campus as the political ground and disturb the peace.

- (v) The Hon'ble Governor has called for the report from the University, which shows the seriousness of the case and if the Petitioners are granted bail casually it would reduce the seriousness of the case.
- (vi) The antecedents of the Petitioners and the reasons for the Petitioner Nalini B. to hold the placard have to be investigated.
- (vii) There are chances of the Petitioners tampering the evidence. The Petitioner Nalini B. has admitted the fact that she was holding the placard 'Free Kashmir' is the slogan of the 'Azadi Kashmir' outfit which is banned. Any act, which would be in the direction of segregating the Kashmir and showing allegiance to the said Association would be an act of sedition.
- (viii) The Prosecution has also referred to the various rulings of the Hon'ble Apex Court and the Hon'ble High Court and has stated that in the case of this type, the anticipatory bail should not be granted. Therefore, the Prosecution has prayed for rejection of the bail application.

7. The upto date case diary was called for from the Investigating Officer and the same was looked into at the time of hearing the bail application.

8. Perused the case papers and heard Sri.K.N.Jagadeesh Kumar, Sri.Anis Pasha, Sri. Manjunath R., Smt. Asma Parveen, Sri.Prasanna R.A., the learned counsels for the Petitioner in Crl.Misc.No.67/2020 and Sri. Raghunath K.C. the Learned Counsel for the Petitioner in Crl.Misc.88/2020 and Sri.H.D.Anand Kumar, the learned Public Prosecutor for the Prosecution.

9. Now the points that arise for the consideration of this Court are :

1. Whether the Petitioner Nalini B. in Crl.Misc.No.67/2020 is entitled for anticipatory bail as per Section 438 Cr.P.C?
2. Whether the Petitioner Maridevaiah S. in Crl.Misc.No.88/2020 is entitled for anticipatory bail as per Section 438 Cr.P.C?
3. What order ?

10. My answers to the above Points are as under :

Point No.1 : In the Affirmative

Point No.2 : In the Affirmative

Point No.3: As per the final order
for the following :

REASONS

11. Before considering the application on merits, the principles laid down by the Hon'ble Apex Court regarding the factors to be taken into account while considering the application for anticipatory bail have to be looked into. It is useful to refer to the two rulings of the Hon'ble Supreme Court. (i) Sri.Gurubaksh Singh Sibbia and others vs. State of Punjab reported in (1980) 2 SCC 565 and (ii) Siddharam Satlingappa Mhetre vs. State of Maharashtra and others reported in (2011) 1 SCC 694.

12. In the aforesaid ruling in **Sri.Gurubaksh Singh Sibbia and others vs. State of Punjab**, the Hon'ble Court has observed in para No.33 of its Judgment as follows:

“33. We would therefore, prefer to leave the High Court and the Court of Session to exercise their jurisdiction under Section 438 by a wise and careful use of their discretion which, by their long training and experience, they are ideally suited to do. The ends of justice will be better served by trusting these Courts to act objectively and in consonance with principles governing the grant of bail which are recognized over the years, than by divesting them of their discretion which the legislature has conferred upon them, by laying down inflexible rules of general application. It is

customary, almost chronic, to take a statute as one finds it on the ground that, after all, “the legislature in its wisdom” has thought it fit to use a particular expression. A convention may usefully grow whereby the High Court and the Court of Session may be trusted to exercise their discretionary powers in their wisdom, especially when the discretion is entrusted to their care by the legislature in its wisdom, if they err, they are liable to be corrected”.

13. In the ruling **Siddharam Satlingappa Mhetre vs. State of Maharashtra** the Hon'ble Supreme Court has held that just as liberty is precious to an individual, so is the society's interest in maintenance of peace, law and order and both are equally important. The Hon'ble Supreme Court in **Para Nos.112 to 114** has observed as follows:

“112. The following factors and parameters can be taken into consideration while dealing with the anticipatory bail:

- (i) The nature and gravity of the accusation and the exact role of the accused must be properly comprehended before arrest is made;
- (ii) The antecedents of the applicant including the fact as to whether the accused has previously

undergone imprisonment on conviction by a Court in respect of any cognizable offence;

- (iii) The possibility of the applicant to flee from justice;
- (iv) The possibility of the accused's likelihood to repeat similar or the other offences.
- (v) Where the accusations have been made only with the object of injuring or humiliating the applicant by arresting him or her.
- (vi) Impact of grant of anticipatory bail particularly in cases of large magnitude affecting a very large number of people.
- (vii) The Courts must evaluate the entire available material against the accused very carefully. The court must also clearly comprehend the exact role of the accused in the case. The cases in which accused is implicated with the help of Sections 34 and 149 of the Indian Penal Code, the court should consider with even greater care and caution because over implication in the cases is a matter of common knowledge and concern;
- (viii) While considering the prayer for grant of anticipatory bail, a balance has to be struck

between two factors namely, no prejudice should be caused to the free, fair and full investigation and there should be prevention of harassment, humiliation and unjustified detention of the accused;

- (ix) The court to consider reasonable apprehension of tampering of the witness or apprehension of threat to the complainant;
- (x) Frivolity in prosecution should always be considered and it is only the element of genuineness that shall have to be considered in the matter of grant of bail and in the event of there being some doubt as to the genuineness of the prosecution, in the normal course of events, the accused is entitled to an order of bail.

113. The arrest should be the last option and it should be restricted to those exceptional cases where arresting the accused is imperative in the facts and circumstances of that case. The court must carefully examine the entire available record and particularly the allegations which have been directly attributed to the accused and these allegations are corroborated by other material and circumstances on record.

114. These are some of the factors, which should be taken into consideration while deciding the anticipatory bail applications. These factors are by no means exhaustive but they are only illustrative in nature because it is difficult to clearly visualize all situations and circumstances in which a person may pray for anticipatory bail. If a wise discretion is exercised by the concerned judge, after consideration of entire material on record then most of the grievances in favour of grant of or refusal of bail will be taken care of. The legislature in its wisdom has entrusted the power to exercise this jurisdiction only to the judges of the superior courts. In consonance with the legislative intention we should accept the fact that the discretion would be properly exercised. In any event, the option of approaching the superior court against the court of Sessions or the High Court is always available”.

14. Keeping the above directions, guidelines and the principles in mind, this Court now proceeds to consider the above applications.

POINT NO.1:

15. The offence alleged against the Petitioner is **under Section 124(A) of IPC** which reads as follows:-

“124(A) : Whoever, by words, either spoken or written, or by signs, or by visible representation, or otherwise, brings or attempts to bring into hatred or contempt, or excites or attempts to excite disaffection towards, the Government established by law in India, shall be punished with imprisonment for life, to which fine may be added, or with imprisonment which may extend to three years, to which fine may be added, or with fine.

Explanation 1.—The expression “disaffection” includes disloyalty and all feelings of enmity.

Explanation 2.— Comments expressing disapprobation of the measures of the Government with a view to obtain their alteration by lawful means, without exciting or attempting to excite hatred, contempt or disaffection, do not constitute an offence under this section.

Explanation 3.— Comments expressing disapprobation of the administrative or other action of the Government without exciting or attempting to excite hatred, contempt or disaffection, do not constitute an offence under this section.

16. The reading of the above provision shows that the offence alleged is not exclusively punishable with death or imprisonment for life. Considering the punishment prescribed for the alleged offence, the Petitioner would be entitled for a bail if other circumstances of the case are in favour of granting bail to the Petitioner.

17. The perusal of the Case Diary shows that the Petitioner has been co-operating in the Investigation. The placard was thrown by her near the place of protest is also seized. She has given the information about her preparing the placard. Considering this factor, this Court is of the opinion that the custodial interrogation of the petitioner is not necessary.

18. The investigation is in progress to find out whether the Petitioner has any contacts with the antisocial elements or banned organization. There are no chances of the Petitioner being tampering evidence considering the fact that she has been fully co-operating with the investigation.

19. The Petitioner is a woman and a student. The records collected by the Investigating Officer till date does not show that she has any criminal antecedents or any connection with the banned outfits or any other organization.

20. The Petitioner is a permanent resident of Mysuru. She must be directed to surrender her passport if she has one or if she does not have a passport file an affidavit to the said effect. This would take care of the apprehension of the Prosecution that the Petitioner would abscond and delay the investigation or Trial.

21. The Learned Counsel for the Petitioner submitted that holding a placard alone cannot amount to an offence of sedition as there was no intention to create disorder or incite people to violence.

22. This Court is of the firm view that at this stage any person including this Court cannot form an opinion or declare whether the Petitioner has committed the offence of Sedition or not. It is for the Investigation Officer to make proper investigation and file the charge sheet if there are materials to do so and only the Court to which the case is made over for Trial has to give a finding after Trial whether the Petitioner is guilty of the offence alleged or not.

23. Considering the above aspects would have been sufficient in any other case while considering the bail Application and the Petitioner would have been entitled for anticipatory bail. But considering the objections of the learned Public Prosecutor that if the Petitioner is released

on bail, there are chances that the other youth might commit similar offences, lose respect for the law and spoil the atmosphere in the University, the other arguments advanced on both the sides have to be discussed. This is also necessary in view of the principles laid down by the Hon'ble Supreme Court that one of the factors that the Court has to bear in mind the impact of grant of anticipatory bail in cases of large magnitude affecting the very large number of people.

24. The learned Public Prosecutor submitted that now the Petitioner cannot explain as to what was her intention. The Learned Counsels for the Petitioner submitted that there must be both Actus Reus and Mens Rea must be there to constitute the crime and the explanation given by the Petitioner would show that she had no intention of committing any offence much less the offence of Sedition.

25. The Actus Reus is the act which the person does to commit a crime and the mens rea is the mental element of the crime i.e., the intention behind the said act. Both these elements are necessary to constitute the crime. To give a simple example, if the offence is only determined by the act, the offence of murder punishable under Section 302 of IPC and the causing of death in a road accident punishable under Section 304-A of IPC

would entail in the same punishment. In the former there is an intention to kill the person and in the latter there is no intention to kill the person.

26. There were submissions on both the sides, about the freedom of speech. The Learned Counsels for the Petitioner submitted that the right of freedom of speech is curtailed by registering the case sedition against a person who speaks against the Government. Every Citizen in the Country has a right to express his opinion and if whoever criticizes the Government and its policies is booked for sedition, no person can criticize the Government and its policies. The Learned Public Prosecutor submitted that the freedom of speech is not absolute and there are reasonable restrictions on the said right and the interest of the society should prevail over the individual right.

27. This Court is of the opinion that considering the scope of this application, in this context it is suffice to observe as follows. The freedom of Speech is the right to form an opinion after getting the correct and full information about an issue and express the same. This would also help an individual to exercise his option if he is called upon to do so in a given situation. This is necessary for the success of democracy. Therefore, the

opinion expressed must be ones own opinion and not a forced or informed opinion.

28. As a responsible Citizen and more particularly the youth who are the future of this Country, must be cautious while exercising this freedom and expressing the opinion, whether the exercise of ones right of freedom of speech is good for the society. Because one may say he has a right or freedom to do a certain thing but must first analyze if it is good for the society and does any harm to the society by exercising the right. This is the self restraint one must have while exercising the right or freedom in the general interest of the society.

29. The learned Public Prosecutor used the Phrase 'Think before you Ink'. And once the word is spoken and written and damage is done one cannot say that it was not his or her intention. The Learned Public Prosecutor is right in making this submission.

30. In this case it is not the case of the Prosecution that the Petitioner had shouted slogans, but has held a placard with the words "Free Kashmir". It should also be noted that she was not in the forefront of the Protest and only a placard was visible in back row of the group of protesters but the words written were correctly visible. The person should be careful when he / she chooses the

words to express one's opinion, in the present scenario where the words are interpreted or misinterpreted to suit ones own convenience and also to create a controversy and law and order problem.

31. One thing that has to be appreciated about the Petitioner is that immediately on coming to know that the placard held by her has created a controversy, she has immediately accepted that it was she who was holding the placard, clarified her stand and has sought the apology from the public and the police for her action. But I am afraid if she has sought the apologies of her parents. It is the parents who get immediately affected when their child goes astray. It is their upbringing which would be questioned or found fault with. It is for the youth like the Petitioner first to be a good son and daughter to their parents and then work for a better world. Because for your parents you are the World and no one else can take your place in the family. A person who is not a good son or daughter cannot be a good citizen too.

32. It is the duty of every citizen to respect the law and the Law Enforcement Agencies and extend their co-operation in maintaining the law and order. If the Petitioner really wants to give her contribution in nation building, she should act in a more responsible way and share her experience with others as to what trauma she

has to undergo so that the youth do not commit similar mistakes like her as there are many platforms or mediums more particularly social media which are used to make comments without thinking of its consequences.

33. The youth of the Country are full of energy and they want to fight for their rights and the rights of everybody else and they support the right and protest against the wrong. They have innovative ideas which can be used for the development of the Country. They should also not forget in their endeavour to protest against the wrong, to respect the law and the Law Enforcement Agency. If they think for a while as to what would happen if all the laws are suspended and the Police Stations are shut down only for about five minutes with prior notice, as a responsible citizen of the Country would automatically have respect for the law and the Law Enforcement Agencies. One cannot imagine what kind of crimes would be committed if the laws are suspended and the Police abstain from their duties. The Police are not equipped with a magic wand to find out the person who has concealed himself after the commission of the crime or to find out as to whether the person brought before them has committed the crime or not. They need a reasonable time to conduct investigation and find out the real culprit. Therefore, it is the duty of every citizen to respect the law and the Law Enforcement Agencies

and to see that in the protest no loss of life or property happens. The loss of life cannot be brought back and it would be a irreparable loss for the family which has lost its family members.

34. Before organizing the protest or join in the protest, the youth or the public should be aware of the law of the land and the direction of the Hon'ble Supreme Court more particularly in the case of **Kodungalluru Film Society Vs. Union of India reported in (2018) (10) SCC 713** and also the provisions of the Prevention of Damage to Public Property Act 1984 and the rulings of the **Hon'ble High Court of Kerala** in the case of **Shanif K. .Vs. State of Kerala** in bail application No.7021 of 2018 decided on 31.10.2018 in respect of the bail application wherein the Hon'ble High Court of Kerala held that even if a peaceful protest turns into mob violence causing loss of life or damage to the public and private properties, will not be entitled for bail unless they deposit the cash towards the proportionate quantified loss caused due to such violence.

35. The Learned Counsel for the Petitioner submitted that the case is registered by the Police Official on the basis of the news paper report and there is no complaint by any member of the public and it is done with an ulterior motive. This Court cannot accept this

submission, because the Police are within their powers to register the case when they receive an information about the commission of a cognizable offence.

36. To summarize the Petitioner is entitled for anticipatory bail in this case for the following reasons:

- (i) The quantum of punishment for the offence alleged is not exclusively death or imprisonment for life.
- (ii) The fact that she is a young woman and a student.
- (iii) At this stage there are no materials to show that she has any criminal antecedents or connections with the banned outfits.
- (iv) That she has immediately accepted that it is she who has shown the placard and has explained her stand.
- (v) No loss of life or property is caused due to the act of the Petitioner.
- (vi) She has been co-operating with the investigation.

(vii) The apprehension that she would abscond is taken care of by imposing the conditions of surrendering of her passport.

(viii) The other apprehension of the Prosecution can be taken care of by imposing suitable conditions.

37. Hence, the above Point is answered in the **Affirmative.**

POINT NO.2 :

38. The Petitioner in Crl.Misc.No.88/2020 is the shown as Accused No.1 in the FIR. He is one of the Organizers of the protest. The permission of the Police was not taken for the protest. The Petitioner herein is not made as the Accused for holding the protest, but for the reason that the placard was shown in the said protest by one of the participants and therefore he is also made as an Accused in the offence of sedition by invoking Section 34 of IPC.

39. The materials collected by the Investigating Officer and the statement of the person holding the placard would show that the Petitioner herein had no knowledge of the same and the said person has taken the complete responsibility of displaying the placard.

40. This Court already observed in Para No.34 its order above as to the duties of the Organizer while holding the protest. The Organizers are solely responsible if any loss of life or damage to the property occurs. They should take the responsibility as to what are the nature of placards that should be displayed in the protest and it should not be left to the participants to choose the same. They should also take the precaution that no antisocial element joins the protest and disturb the public peace. As in this case there was no loss of life or property, the Petitioner should be granted bail with the condition that he should not organize any protest without following the rules and intimating the jurisdictional Police about the protest. The custodial interrogation of the Petitioner is not necessary. Considering the punishment prescribed for the offence alleged against him and considering the above circumstances, the Petitioner must be granted bail.

41. The Petitioner is the the permanent resident of Mysuru District. He has undertaken to abide by the terms and conditions that may be imposed on him by this Court. The apprehensions of the Prosecution can be taken care of by imposing suitable conditions. Therefore, this Court is of the opinion that the Petitioner can be granted anticipatory bail. Hence, the above Point is answered in the **Affirmative**.

POINT NO.3:

42. In the result, this Court proceeds to pass the following:-

ORDER

The Petitions filed by the Petitioners in Crl.Misc.No.67/2020 and Crl.Misc.No.88/2020 under Section 438 Cr.P.C., are allowed.

The Petitioners are ordered to be released on bail on their executing a personal bond for a sum of Rs.50,000/- each with one surety for the like sum in the event of their arrest by the Respondent Police in Cr.No.2/2020 registered for the offence punishable under Section 124(A) r/w 34 of IPC on the following conditions:-

1. The Petitioners shall surrender before the Jurisdictional Court within a period of one month and furnish the bail and surety as per this Order.
2. The petitioners shall not tamper the Prosecution witnesses directly or indirectly.
3. The Petitioners shall not repeat similar offences in future.

4. The Petitioners shall co-operate with the Investigating Officer in the investigation and shall appear before the Investigating Officer as and when called for.
5. The Petitioners shall produce their passport size photograph with the address proof and also of the surety to the satisfaction of the Jurisdictional Magistrate and the I.O.
6. The Petitioners shall be regular in attending the Court on all the hearing dates.
7. The Petitioner shall appear before the I.O once in 15 days preferably on a Sunday between 10-00 am to 2-00 pm till the filing of the final report or for the period of three months whichever is earlier.
8. The Petitioner in Crl.Misc.No.67/2020 shall surrender her passport before this Court and she can file necessary application for the release of the said passport before the Sessions Court to which the case is committed if the charge sheet is filed. If no charge sheet is filed against her or the case is closed for want of sufficient materials to file the charge sheet, the Petitioner can move this

Court for the custody of the passport after the filing of the Final Report. If the Petitioner has no passport, she shall file the affidavit in this regard before this Court and the above condition shall be modified accordingly.

The original of the Order shall be kept in the file in Crl.Misc.67/2020 and the copy thereof shall be kept in the file in Crl.Misc.88/2020.

Return the copies of the C.D. produced by the learned Public Prosecutor to the I.O.

(Dictated to the Judgment Writer directly on Computer, corrected and then pronounced by me in the open court on this the 27th day of January 2020).

[J.R.Mendonca],
II Addl. District & Sessions Judge,
Mysuru.
ALL ABOUT LAW

Cases called out.

Sri.K.M.Anand Advocate, Sri. P.S.G. Advocate and Sri.Mallappa A.K. Advocate filed the memo withdrawing their vakalath on behalf of the Petitioner.

II Addl. District & Sessions Judge,
Mysuru.

(Orders pronounced in the open court
vide separate orders)

ORDER

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(J.R.Mendonca),
II Addl. District & Sessions Judge,
Mysuru.

