**(2024) 09 KAR CK 0009**

**Karnataka High Court At Bengaluru**

**Case No:** Criminal Petition No. 4085 Of 2024

| | | |
|---|---|---|
| Rustom @ Syed Ali Baqai | | APPELLANT |
| | Vs | |
| State Of Karnataka Rept. By Kempegowdanagar | | RESPONDENT |

**Date of Decision:** Sept. 12, 2024

**Acts Referred:**

- sCode Of Criminal Procedure, 1973 - Section 41(A), 438

**Hon'ble Judges:** V Srishananda, J

**Bench:** Single Bench

**Advocate:** Syed Khaleel Pasha, Channappa Erappa

**Final Decision:** Dismissed

**Judgement**

V Srishananda, J

1. Heard Sri Syed Khaleel Pasha, learned counsel for the petitioner/accused No.4 and Sri Channappa Erappa, learned High Court Government Pleader for the respondent/State.

2. Petitioner is before this Court with a successive bail request for grant of anticipatory bail under Section 438 Cr.P.C.

3. The charge sheet came to be filed. In the charge sheet, petitioner has been shown as accused No.4 and has been shown as absconding accused.

4. In fact, learned counsel for the petitioner has also placed before the court a notice under Section 41 (A) Cr.P.C., dated 16.03.2024.

5. Admittedly, the petitioner did not appear before the police as per the notice dated 16.03.2024.

6. Since the petitioner did not adhere to the callings of notice, he has been shown as an absconding accused. Therefore, grant of anticipatory bail to the

petitioner/accused No.4 would not arise.

Accordingly, criminal petition is hereby rejected.