



ITEM NO.11+34

COURT NO.2

SECTION II-E

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No(s).6918/2024

[Arising out of impugned final judgment and order dated 23-09-2023 in CRLA No.100142/2023 passed by the High Court of Karnataka Circuit Bench at Dharwad]

VINAYAK @ VINAYKGOUDA MARIGOUDA

Petitioner(s)

VERSUS

THE STATE OF KARNATAKA & ANR.

Respondent(s)

(IA No. 107603/2024 - EXEMPTION FROM FILING O.T.)

WITH

SLP(Crl) No. 1332/2025 (II-E)

(IA No. 24018/2025 - EXEMPTION FROM FILING O.T.)

SLP(Crl) No. 4579/2025 (II-E)

(IA No. 58376/2025 - EXEMPTION FROM FILING O.T.)

SLP(Crl) No.17257/2024 (II-E)

WITH

Item No.34

Petition(s) for Special Leave to Appeal (Crl.) No(s).6513/2025
(IA No. 97148/2025 - EXEMPTION FROM FILING O.T.)

Date : 16-07-2025 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE JOYMALYA BAGCHI

For Petitioner(s) :Mr. Ashok Kumar Panda, Sr. Adv.
Mr. Narsingh Patel, Adv.
Ms. Rachana, Adv.
Mr. Manoranjan Paikaray, AOR
Mr. Shashwat Panda, Adv.
Mr. Devendra Singh Kushwaha, Adv.
Mr. Rishi Pal Singh, Adv.

Mr. Sharanagouda Patil, Adv.

Mrs. Supreeta Patil, Adv.
Mr. Jyotish Pandey, Adv.
M/s. S-legal Associates, AOR

Mr. Manjunath Meled, Adv.
Mrs. Vijayalaxmi Udupudi, Adv.
Mr. Ganesh Kumar R., AOR

Mr. Anand Sanjay M Nuli, Sr. Adv.
Mr. Suraj Kaushik, Adv.
Mr. Dharam Singh, Adv.
M/s. Nuli & Nuli, AOR

For Respondent(s) :Mr. Devdatt Kamat, Sr. Adv.
Mr. Nishant Patil, Adv.
Mr. Sandhit Garga, AOR

Mr. V. N. Raghupathy, AOR

Mr. Parikshit Angadi, Adv.
Mr. Siddhartha Sinha, AOR

UPON hearing the counsel the Court made the following
O R D E R

1. This order shall dispose of SLP (Crl.) No.6918/2024, SLP(Crl) No.1332/2025, SLP(Crl) No.4579/2025, SLP(Crl) No.17257/2024 and SLP (Crl.) No.6513/2025.
2. The prayer for grant of release the petitioners on bail are being disposed of by a common order for the reason that all of them are facing trial in the same case bearing Crime No.72/2020 registered at Gokak Town Police under Sections 143, 147, 148, 307, 302, 504, 506 read with Section 149 of the Indian Penal Code 1860 and Section 3(2)(v) of the Scheduled Castes and the Scheduled Tribes (Prevention of the Atrocities) Act, 1989.
3. The allegations are that the petitioners along with their co-accused are members of Tiger Gang, who indulged in extorting money by collecting *hafta*, turning black money into white etc. It is alleged that on the fateful day, the complainant along

with his friends, including Siddappa Arjuna Kanamaddi, were sitting near the temple when the co-accused came and assaulted the deceased with sword and abused him on his caste name. The injured was rushed to the hospital where he passed away. The petitioners were initially not named in the FIR but during the course of investigation their names surfaced as abettor and they were arrested on different dates for example, the petitioner Amit Mallikarjun Vannur (accused no.16) was arrested on 13.09.2020, whereas another petitioner - Prasad was arrested on 08.09.2020. Most of them have been incarcerated for more than four years. It is also a matter of record that some of the petitioners' co-accused have been granted interim or regular bail by this Court subject to stringent conditions as were imposed vide order dated 26.03.2025 in SLP(Crl.) No.6918/2024 (Vinayak @ Vinaykgouda Marigouda Vs. The State Of Karnataka and another).

4. The prosecution initially cited more than 200 witnesses but on suggestion by this Court, the list has been pruned and they now propose to examine about 75 witnesses, out of which 25 witnesses are the star witnesses. On a query, learned State counsel informed that 10 witnesses have been examined so far.

5. It may also be added at this stage that in terms of the direction issued by this Court in paragraph 3(iv) of order dated 26.03.2025 referred to above, the Trial Court is taking up the matter weekly.

6. Be that as it may, taking into consideration the fact that only 10 witnesses are examined despite the trial being taken up

weekly, it seems to us that the conclusion of trial will take some reasonable time. The petitioners are amongst those who were initially named in the FIR or to whom the injuries on the deceased were attributed. It seems that the petitioners do not have criminal antecedents, barring a few of them.

7. Taking into consideration the totality of the circumstances, but without expressing any opinion on merits, we deem it appropriate to release the petitioners on bail subject to their furnishing bail bonds to the satisfaction of the Trial Court and further subject to the conditions already imposed in paragraph 3 of the order dated 26.03.2025, which are reproduced below:

“3(i) All the nineteen accused, who are facing trial, shall remain present in court on each and every date of hearing and none of their counsel shall seek adjournment on any ground whatsoever.

(ii) If any one of them absents from the court, or if their counsels seek(s) adjournment for cross-examination etc., the Trial Court is authorised to cancel the bail granted to them and issue non-bailable warrants against that accused forthwith.

(iii) We similarly request the High Court not to grant bail to such accused and let him approach this Court explaining the cause of his absent or adjournment, if any.

(iv) The Trial Court shall take up the case on weekly basis.

(v) The prosecution will ensure that sufficient witnesses remain present on each and every date of hearing for their examination.”

8. Ordered accordingly.

9. It is made clear that if the petitioners or their co-accused fail to honour any of the above-mentioned conditions, the Trial Court shall be at liberty to cancel the bail without any reference to this Court.

10. Since the matter is dragging for a long time and it is only with the intervention of this Court that some effective progress now has taken place, we request the High Court to intervene, if so required, from time to time so as to ensure that all the directions reproduced hereinabove are meticulously complied with. The State or the complainant shall be at liberty to approach the High Court in the event of any defiance by the accused persons of these directions.

11. The orders granting interim bail to some of the petitioners are made absolute, however, subject to the conditions already mentioned hereinabove. Those accused who are yet to be released on bail may be produced before the Trial Court through video-conferencing/online mode instead of bringing them physically on each and every date of hearing in terms of the directions issued by us.

12. The special leave petitions are, accordingly, disposed of.

13. All pending applications, if any, also stand disposed of.

(ARJUN BISHT)
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)
ASSISTANT REGISTRAR