

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF JULY 2019

BEFORE

THE HON'BLE MR. JUSTICE ALOK ARADHE

WRIT PETITION NO.31099 OF 2019 (GM-POLICE)

BETWEEN:

SMT GANDHIMATHI
WIFE OF RAVI KUMAR
AGED ABOUT 52 YEARS,
RESIDING AT NO.3358/C
13TH HAL 2ND STAGE,
BANGALORE-560 008

... PETITIONER

(BY SMT. JAYASHREE NARASIMHAN, ADV.)

AND:

1. THE STATE OF KARNATAKA
HOME DEPARTMENT
VIDHANA SOUDHA
BENGALURU -560 001
BY ITS CHIEF SECRETARY
2. THE COMMISSIONER OF POLICE
BANGALORE CITY
INFANTRY ROAD,
BENGALURU-560052
3. THE STATION HOUSE OFFICER
INDIRANAGAR POLICE STATION
INDIRANAGAR
BENGALURU-560038

... RESPONDENTS

(BY SRI. B BALAKRISHNA, AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO DIRECT THE R-3 TO ACCEPT THE BAIL AND GET EXECUTED THE BAIL BOND BY THE PETITIONER WITH SURETY, WITHOUT REQUIRING HER TO

HAVE HER PHOTOGRAPH WITH A SLATE BEING FIRST TAKEN AND DESTROY THE FINGER IMPRESSIONS ILLEGALLY OBTAINED BY R-3 AND ETC.

THIS WRIT PETITION COMING ON FOR *PRELIMINARY HEARING* THIS DAY, THE COURT MADE THE FOLLOWING:-

ORDER

Smt.Jayashree Narasimhan, learned counsel for the petitioner.

Mr.B.Balakrishna, learned Additional Government Advocate for respondents.

The writ petition is admitted for hearing. With consent of the learned counsel for the parties, the same is heard finally.

2. In this petition, the petitioner *inter alia* seeks a writ of mandamus to respondent No.3 to accept the bail and get executed the bail bond furnished by the petitioner with surety without requiring her to have her photograph with a slate

being first taken and destroy the finger impressions illegally obtained by respondent No.3.

3. When the matter was taken up today, learned counsel for the petitioner has referred to the order dated 12.07.2019 passed by the 4th Additional City Civil and Sessions Judge, Mayohall Unit, Bengaluru (CCH 21) and has submitted that one of the conditions imposed for grant of bail in the petition is that she shall produce her Aadhar Card in support of her identity. However, she is forced by respondent No.3 to take her photograph with the slate, which is impermissible. On the other hand, learned Additional Government Advocate submitted that suitable action in terms of the order dated 12.07.2019 passed by the Trial Court shall be taken.

4. In view of aforesaid submission and in the facts of the case, the writ petition is disposed of with a direction to respondent No.3 not to insist the petitioner to take her photograph with a slate and to accept the Aadhar Card, which may be produced by the petitioner as identity proof along with one surety.

Accordingly, the writ petition is disposed of.

**Sd/-
JUDGE**

SS