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IN THE COURT OF THE LX ADDL.CITY CIVIL & SESSIONS
JUDGE, BENGALURU (CCH-61)

:Present :

Sri Mallikarjuna Swamy H.S., B.Sc., LL.B.,
LX Addl. City Civil & Sessions Judge,
Bengaluru.

Dated: this the 27th day of January, 2026

Crl.Misc. No.690/2026

PETITIONERS :

Vinod
S/o Mani K.
Aged about 40 years,
R/at No.653, 8th Cross,
Ambedkar Nagar, Income Tax Office,
Viveknagar, Koramangala,
Bengaluru.

(By : Sri I.S.Pramod Chandra,
Advocate)

Vs.

RESPONDENT

: State of Karnataka
By Adugodi Police Station,
Bengaluru.

(By: Learned Public Prosecutor)

ORDER

Petition is filed under Section 482 of BNSS, 2023 by petitioner for grant of anticipatory bail in the event of his arrest in Cr.No.280/2025 of Adugodi police station for the offences punishable under Sections 318(4), 351(2), 352 r/w section 3(5) of BNS, 2023.

2. Brief facts of the case are as under :

Law was set into motion by one Gnanamary stating that she along with localites subscribed chit with one Shivagami in the year 2018 and remitted Rs.10,000/- every month towards chit amount. After the chit period, Shivagami failed to pay the amount and executed agreement dated 6.11.2019 agreeing to repay Rs.16,60,000/- to subscribers of the chit. In order to deceive them one of the subscriber of the chit Hrudaya Mary/petitioner No.1 herein along with her husband/petitioner No.2 clandestinely purchased property which was in the possession of Shivagami on 7.9.2020. One Vinod, henchman of petitioner No.1 abused and threatened her on 14.1.2025. Hence, she set the law into motion.

3. The grounds urged in this petition are as under:

Petitioner is innocent. He has been falsely implicated in this case. He got valid and tenable defence on his behalf. He hails from respectable family having deep roots in the society with no criminal antecedents. He is permanent resident of the address shown in the cause title. He is ready to abide by all the terms and conditions that may be imposed by this Court. Hence, prayed to grant anticipatory bail in his favour. Hence, this petition.

4. Learned Public Prosecutor has filed objections along with the report of investigating officer opposing grant of anticipatory bail in favour of petitioner contending that there is prima-facie case against the petitioner. If he is enlarged on bail he may involve in such or similar kind of activities. The petitioner may flee away from the court of justice. He may tamper the witnesses or hamper the trial. Learned public prosecutor vehemently contended that, petitioner is not entitled for bail in anticipation of his arrest. Hence, prayed to reject the bail petition.

5. Heard the learned Advocate for petitioners and the

learned Public Prosecutor.

6. The point that arises for my consideration is :

Whether petitioner has made out grounds to grant bail in anticipation of arrest as provided under Section 482 of BNSS, 2023?

7. My finding to the above point is in the Affirmative for the following :

REASONS

8. The gist of the accusation in the first information is that accused No.2 and 3 clandestinely purchased the house of one Shivagami who agreed to pay chit amount to the tune of Rs.16,60,000/- to the subscribers, thereby petitioners and Shivagami deceived subscribers of the chit and committed aforesaid offences. The petitioner herein abused the complainant in filthy language and also cheated the complainant colluded with accused No.1 to 3.

9. It is borne out from records that petitioners purchased property on 7.9.2020. Law was set into motion on

18.12.2025. As such there is delay of more than 5 years in launching the criminal prosecution. It is evident that petitioner is not the person who runs chit business nor agreed to pay chit amount to the subscribers. The only accusation is that petitioner abused the complainant while she was proceeding to her house. No prima facie materials are available to indict accused for the alleged crime. Criminal intention cannot be imputed to the petitioner in the absence of ingredients of the alleged offences.

10. Petitioner contended that, he is having permanent abode in the address given in the cause title and he is not having criminal antecedents. The said contention is not in dispute. Prosecution has to prove the accusation in full fledged trial. The offences alleged are not punishable with death or life imprisonment. The custodial interrogation is not necessary in the facts and circumstances of the case. The apprehension of the prosecution can be met by imposing stringent conditions. In view of the same, petition deserves to be allowed and petitioner is entitled for bail in anticipation of his arrest with conditions. Hence, point taken up for consideration is answered in the Affirmative.

11. Hence, the following:

ORDER

Petition filed by the Petitioner under Section 482 of BNSS, 2023 is allowed with a direction that the petitioner shall execute personal bond for a sum of Rs.50,000/- with a surety for likesum before the investigating officer in Cr.No.280/2025 of Adugodi Police Station subject to following conditions:

- 1) Petitioner shall appear before the investigating officer within 30 days from the date of this order.
- 2) He shall appear before the investigating officer as and when called for the purpose of investigation.
- 3) He shall furnish copy of his Aadhar card and mobile phone number before the investigating officer.

If any of the bail conditions are violated anticipatory bail stands canceled.

(Dictated to the Stenographer Grade-I directly on Computer, and corrected by me and then pronounced in the Open Court on this the 27th day of January, 2026)

(MALLIKARJUNA SWAMY H.S.)
LX Addl. City Civil & Sessions Judge,
Bengaluru.