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**IN THE COURT OF LXVII ADDL CITY CIVIL AND
SESSIONS JUDGE; BENGALURU CITY (CCH.No.68)**

PRESENT

SMT.RASHMI.M.

BA.LL.B., LL.M.

**LXVII Addl. City Civil & Sessions Judge,
Bengaluru.**

Dated this the 4th day of November 2025.

Crl.Misc.No.9466/2025

PETITIONERS : **1. Kum.Arptha.A.T.**
 D/o.Thimmegowda.A.B.
 Aged about 26 years,
 R/of.Arenahalli,
 Near Aladhagudde Circle,
 Halasumane (Post),
 Chikkamagaluru District.

2. Sri.Umesh,
 S/o.Thimmegowda.A.B.
 Aged about 30 years,
 R/of.Arenahalli,
 Near Aladhagudde Circle,
 Halasumane (Post),
 Chikkamagaluru District.

(By Sri.Y.D., Advocate)

.Vs.

RESPONDENTS: **1. State by**
 Rajagopalanagar Police,
 Bengaluru.

(By learned Public Prosecutor)

**2. Smt.Priya.A.
W/o.Late Sridhar.P.
Aged about 44 years,
R/at.No.39, Ground Floor,
Kasthuri Nivas, 5th Cross,
MEC Layout,
Duggamma Extension,
Bengaluru.**

ORDER ON BAIL PETITION

This is a bail petition under Section 482 of BNSS filed by the learned counsel for petitioners seeking anticipatory bail to the petitioners in the event of their arrest in Crime No.296/2025 of the respondent No.1- Rajagopalanagar Police Station, Bengaluru registered for the offences punishable under Sections 318(3), 319(2), 82(1) and 108 of BNS.

2. The brief facts of the case are as under:

It is alleged in the complaint that the complainant/respondent N.2 got married to one P.Sridhar on 26.06.2002 and they had two children. The husband of complainant/respondent No.2 was running a Hydraulic Industry in Peenya. Having knowledge about the respondent family and business, the petitioner No.1 who is already married and has a daughter, became acquainted with Sridhar under the pretext of being in the same industrial field. The petitioner No.1 pretended to be friendly and gradually gained the confidence of Sridhar. Taking the advantage, the petitioner No.1 married Sridhar to take control over the industrial

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business and properties. Before this, in the year 2016 the petitioner Nos.1 and 2 had threatened Sridhar that they made him to transfer one property bearing Flat No.12 measuring 30 X 40 feet situated at Honnasandra Village, Dasanapura Hobli in the name of petitioner No.1. Later in the year 2017, the petitioner No.1 had fraudulently registered a Gift Deed in her name and in her daughter's name. Later the petitioner No.1 had purchased a vacant land bearing survey No.122 measuring 231-67,695 square mtrs., situated in Chikkamagaluru District in her name and the entire amount for purchase was paid through Sridhar's Bank account. In addition to this property transaction, the petitioner No.1 has also taken away the valuables and large sum of money and kept in a locker and has not given the locker key to the respondent No.2 or her family. The petitioner No.2 has taken Rs.15,00,000/- for the purpose of business and the car & 2 wheeler were registered in the name of petitioner No.1. the petitioner No.1 had used the bank account and financial status of Sridhar. The petitioner No.1 has fraudulently forced Sridhar to transfer all industrial businesses into her name. When Sridhar refused, the petitioners have locked Sridhar inside their house, kicked him with a shoe, breaking his leg. Thereafter Sridhar was taken to Columbia Asia Hospital for treatment and stayed there for several days. Sridhar being afraid of these incident and he warned the complainant not to tell anyone or

make complaint against the petitioners. Later Sridhara became mentally disturbed and felt hopeless because the petitioner No.1 was in immoral relationship with one person namely Jacob. The petitioner No.1 had filed a divorce petition against Sridhar and the said case came to be dismissed on the ground that Sridhar had already married and had children and as such, he is not eligible for the divorce. After this, the petitioners became angry and started making threatening phone calls to Sridhar. Due to the ill-treatment and abetment meted out by the petitioners, on 26.05.2025 Sridhar had committed suicide by leaving a death note and recording all the threats on his mobile. Thereby the accused are alleged to have committed the offence punishable under Sections 318(3), 319(2), 82(1) and 108 of BNS.

3. In the bail petition, the petitioners who have been arrayed as accused Nos.1 and 2 have contended that they are innocent and have not committed any offences. They have been falsely implicated in this case. They have got valid and tenable defense. The entire complaint is vague and baseless. The respondent No.2/complaint had filed the present complaint against the petitioners with a malafide intention to harass them. No prima-facie case is made out against the petitioners in the commission of alleged offences. The offences alleged against them are not punishable with either death or imprisonment for life.

The respondent police are making hectic efforts to arrest them. Hence they have got reasonable apprehension of their arrest. They are permanent residents of the address shown in the cause title. Hence there is no chance of them absconding. They hail from respectable family, having deep roots in the society. They have no bad antecedents. The respondent police are making hectic efforts to arrest them. Hence they have got reasonable apprehension of their arrest. They are ready and willing to abide by the terms and conditions those going to be imposed by this Court and ready to offer surety to the satisfaction of the court, if anticipatory bail is granted. Hence, sought for allowing the bail petition.

4. The learned Public Prosecutor has filed objections along with the report of Investigating Officer and contending that the investigation is not yet completed. There is prima-facie materials against the petitioners as to the commission of alleged offence. The petitioners have not assigned any genuine reasons for granting bail. The petitioners are not residents of the jurisdiction of this court. At this stage, if they are enlarged on anticipatory bail, there is all possibility of they fleeing away from justice, which will hamper the investigation apart from threatening the prosecution witnesses and destroy the prosecution evidence. Hence, sought for rejection of the bail petition.

5. Heard.

6. The points raised for determination are as under:

(1) **Whether the petitioners have made out sufficient grounds to enlarge them on anticipatory bail ?**

(2) **What Order ?**

7. My findings to the above points are as under:

Point No.1: Affirmative,

Point No.2: As per the final order,

for the following:

REASONS

8. **POINT No.1:** The case of the prosecution is that the petitioners had abetted the husband of complainant/respondent No.2 to commit suicide. Due to the abetment meted out by them, on the alleged date, time and place, the deceased had committed suicide by writing a death note and recorded all the threats on his mobile. Thereby the accused are alleged to have committed the offences punishable under Sections 318(3), 319(2), 82(1) and 108 of BNS.

9. It is submitted by the learned counsel for the petitioners that the petitioners are innocents and have not committed any offence. The petitioners have been falsely implicated in this case. The petitioners are no way connected to the alleged incident. Hence prayed to allow the bail petition.

10. I have considered the submission of both the sides. On considering the materials placed on record, the alleged fact of abetment caused by the accused to the deceased to commit suicide is to be proved in full fledged trial with authenticated testimony of the prosecution witnesses. On plain reading of the prosecution papers, it appears that there is no direct allegations made against the petitioners herein. That apart securing the accused for the purpose of investigation and trial are the criteria to grant bail. The offences alleged against the petitioners are not punishable with either death or imprisonment for life. The apprehension of the petitioners as to likelihood of their arrest is well founded. The petitioners have undertaken to abide by the bail conditions and ready to furnish surety for their due appearance before the court. The apprehension of prosecution could be dealt with by imposing some conditions. Accordingly, **I answer the Point No.1 in the Affirmative.**

11. **POINT No.2:** In view of my finding on Point No.1 as above, I proceed to pass the following:

O R D E R

The bail petition filed by the petitioners under Section 482 of BNSS is hereby allowed, subject to the following conditions:

- 1. The petitioners are ordered to be released on bail in the event of**

their arrest in Crime No.296/2025 of the respondent No.1- Rajagopalanagar Police Station, Bengaluru for the offence punishable under Sections 318(3), 319(2), 82(1) and 108 of BNS, on executing their self bond for a sum of Rs.2,00,000/- each along with two sureties each for like sum;

- 2. They shall appear before the Investigating Officer within 15 days from the date of this order and shall assist him in investigation as and when required;**
- 3. They shall not tamper with the prosecution witnesses;**
- 4. They shall appear before the trial court on all hearing dates;**
- 5. They shall not indulge in committing any offences ;**
- 6. The petitioner No.2 shall mark his attendance before the respondent police on every Sunday between 10-00 a.m., and 2-00 p.m., till filing of the charge sheet.**

(Dictated to the Stenographer Grade-II directly on computer, corrected, signed and then pronounced by me in the open court on this the 4th day of November 2025)

**(RASHMI.M)
LXVII Addl.City Civil & Sessions Judge,
Bengaluru.**