

KABC010148162026



**IN THE COURT OF THE PRINCIPAL CITY CIVIL AND
SESSIONS JUDGE, AT BENGALURU**

Dated this the 11th day of June, 2026

Present: Shri K.S. Bharath Kumar,
B.A., LL.B. (Hons)
Principal City Civil and Sessions Judge,
Bengaluru.

Crl. Misc. No. 5313/2026

Petitioner : C.R. Manje Gowda,
S/o. Sri Range Gowda,
Aged about 50 years,
R/at. No.2111/2,
7th 'A' Cross, 3rd Main,
Maramma Temple, R.P.C Layout,
Vijayanagar, Bengaluru – 560 040.

(By Sri B.C. Chethan, Advocate)

Vs.

Respondent : The State of Karnataka,
Govindaraja Nagar Police Station,
Bengaluru.

[By Sri Chinnavenkataravanappa,
Public Prosecutor]

ORDER

The Petitioner in Crime No. 359/2025 of Govindaraja
Nagar Police Station, on the file of XXIV ACJM, Bengaluru,

registered for the offences punishable under Sections 329(4), 115(2), 118(1), 351(2), 351(3) read with Section 3(5) of Bharatiya Nyaya Sanhita, 2023, has preferred the instant petition under Section 438 of Cr.P.C. read with Section 482 of Bharatiya Nagarika Suraksha Sanhita, 2023, seeking anticipatory bail and for a direction to the Respondent police to release him on bail in the event of his arrest in connection with the said case.

2. It is stated by the Petitioner in the petition that he is innocent and has been falsely implicated in the present case. It is contended that there are no reasonable grounds to believe that the Petitioner is guilty of any offence punishable with death or imprisonment for life. The Petitioner submits that he hails from a respectable family and has deep roots in society. He further submits that he is ready and willing to abide by any terms and conditions that may be imposed by this Court and to furnish substantial surety to the satisfaction of this Court. It is also contended that the Respondent Police are making efforts to apprehend him. Apprehending his arrest in connection with the present case,

the Petitioner has approached this Court seeking anticipatory bail. Accordingly, he requested this Court to allow the petition and grant anticipatory bail in the event of his arrest by the Respondent Police.

3. Per contra, the learned Public Prosecutor has resisted the petition by filing objections along with the report of the Investigating Officer and reiterated the averments stated in the complaint and FIR. It is further contended that, the Respondent Police, on the basis of the complaint, has registered a case against the Petitioner since there were sufficient materials to connect the Petitioner with the alleged crime. It is further contended that the grounds urged by the Petitioner seeking anticipatory bail is not satisfactory and untenable. It is further contended that, investigation is in progress and at this stage, if the Petitioner is granted anticipatory bail, he may again abscond and tamper the prosecution witnesses and further indulge in committing similar offences. Therefore, taking into consideration the gravity of the offences committed by the Petitioner, he requested to reject the petition.

4. Heard the learned Counsel appearing on behalf of the Petitioner and learned Public Prosecutor.

5. Perused the petition, objections and the materials available on record.

6. The Points that arise for my consideration are:

1. Whether it is a fit case to exercise the discretion vested in this Court under Section 482 of Bharatiya Nagarika Suraksha Sanhita, 2023 in favour of the Petitioner ?

2. What Order?

7. My findings to be above Points are as under:

Point No.1:- In the Affirmative;

Point No.2:- As per final order;
for the following:

REASONS

8. **Point No.1:** The case of the prosecution in gist is that, the Complainant was in possession and enjoyment of property bearing Assessment No. 48, Municipal No. 8, PID No. 37-93-8, situated at 2nd Main Road, 3rd Cross, Pattergarpalya, Bengaluru-560079, which is stated to be a joint family property. It is alleged that there existed a dispute

regarding the ownership and possession of the said property between the Complainant and accused Manje Gowda, in respect of which a complaint had earlier been registered and a civil suit in O.S. No. 6652/2025 was pending before the competent Civil Court.

It is further alleged that on 18.09.2025 between 7.00 a.m. and 7.30 a.m., when the Complainant had temporarily left the house, accused Manje Gowda along with certain unknown persons came in an auto bearing Reg.No. KA-02-AH-4478, criminally trespassed into the property, broke open the lock and entered the house. Upon the Complainant returning to the spot along with his relatives and friends, the accused persons assaulted him and threatened him with dire consequences if he lodged any complaint against them. Thereafter, the accused persons fled from the spot, leaving behind the aforesaid auto. During inspection of the auto, certain weapons such as a dragger, hammer and chisel were found. Based on the complaint, Govindaraja Nagar Police registered Crime No. 359/2025 for the offences punishable under Sections 329(4), 115(2), 118(1), 351(2), 351(3) read with Section 3(5) of Bharatiya Nyaya Sanhita, 2023.

9. It is contended by the learned Counsel appearing for the Petitioner that the Petitioner is innocent and has been falsely implicated in the present case. It is submitted that the Complainant has filed a suit for bare injunction against the Petitioner herein in O.S. No. 6652/2025 before CCH-5, Bengaluru. It is further submitted that the application for temporary injunction filed by the Complainant in the said suit came to be dismissed by the Civil Court. It is contended that there are no reasonable grounds to believe that the Petitioner is guilty of any offence punishable with death or imprisonment for life. The Petitioner further submits that he hails from a respectable family and has deep roots in society. It is also submitted that he is ready and willing to abide by any terms and conditions that may be imposed by this Court and to furnish substantial sureties to the satisfaction of the Court. Hence on these grounds, he requested this Court to allow the petition and grant anticipatory bail to him.

10. I have perused the materials on record. The allegations in the complaint disclose that there exists a dispute with regard to the ownership and possession of the

property in question. It is not in dispute that a civil suit in O.S. No. 6652/2025 is pending between the parties before the competent Civil Court. The records further disclose that the application for temporary injunction filed by the Complainant came to be dismissed by the Civil Court. Though the dismissal of the said application is not conclusive of the rights of the parties, it prima facie indicates the existence of a civil dispute between them.

11. The allegations against the Petitioner are required to be established during the course of investigation and trial. At this stage, there are no reasonable grounds to believe that the Petitioner is guilty of any offence punishable with death or imprisonment for life. The offences alleged are triable by the jurisdictional Court and do not carry the punishment of death or imprisonment for life.

12. The object of granting anticipatory bail is to safeguard the liberty of an individual against unnecessary arrest and detention. The apprehension of the prosecution, if any, regarding the availability of the Petitioner for investigation can be safeguarded by imposing suitable

conditions. The prosecution has not placed any material before this Court to show that the Petitioner is likely to abscond, tamper with the prosecution witnesses or obstruct the course of investigation.

13. Having regard to the nature of the allegations, the background of the dispute between the parties, the pendency of the civil proceedings concerning the subject property and the fact that the investigation can be carried out even while the Petitioner is on bail, this Court is of the opinion that it is appropriate to exercise the discretion vested in this Court under Section 482 of Bharatiya Nagarika Suraksha Sanhita, 2023 and grant anticipatory bail to the Petitioner by imposing certain stringent conditions. Hence, I answer Point No.1 in the ***affirmative***.

14. **Point No.2:** In the result, this Court proceeds to pass the following:

ORDER

The petition filed under Section 438 of Cr.P.C. read with Section 482 of Bharatiya Nagarika Suraksha Sanhita, 2023 is allowed.

The Petitioner shall be released on bail in the event of his arrest in Crime No. 359/2025 of Govindaraja Nagar Police Station, on the file of XXIV ACJM, Bengaluru, subject to following conditions:

1. The Petitioner shall execute a personal bond for Rs.1,00,000/- along with a surety for the like sum, to the satisfaction of the concerned Investigating Officer.
2. Initially, the Petitioner shall appear before the Investigation Officer on or before 25.6.2026 and co-operate with further investigation in the case.
3. He shall not tamper the prosecution witnesses in any manner.
4. He shall furnish his present address, mobile number and email ID if any to the Court with supporting documents.
5. He shall not change his residence or leave the country pending disposal of the case without prior permission of the Court.

(Dictated to the Stenographer Grade-II directly on the computer, typed by her, then corrected and pronounced by me in the Open Court on this the 11th day of June, 2026)

(K.S. Bharath Kumar)
Principal City Civil & Sessions Judge,
Bengaluru.