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IN THE COURT OF HON'BLE III ADDL SESSIONS JUDGE
THE EXCLUSIVE SPECIAL COURT
Constituted for offence Triable under Scheduled Castes
& Scheduled Tribes [Prevention of Atrocities] Act.
AT: BELAGAVI

DATED: 15th DAY OF JUNE 2026

BEFORE:

Ms. SAVITHA KUMARI. N. B.A.L., LL.B.,

In The Matter of Criminal Miscellaneous Case In
Crl. Misc. No. 00817 of 2026

BETWEEN:

Smt. Shabana Nadaf,
Wife of Shri. Salauddin Nadaf,
Aged about 43 years,
Resident of Jugol village,
Taluk: Kagwad,
District: Belagavi.

Petitioner No.1
Accused No.1

Shri. Subhan Nadaf,
Son of Shri. Salauddin Nadaf,
Aged about 21 years,
Resident of Jugol village,
Taluk: Kagwad,
District: Belagavi.

Petitioner No.2
Accused No.2

Shri. Umarfaruq Nadaf,
Son of Shri. Ilahi Nadaf
Aged about 38 years,
Resident of Jugol village,
Taluk: Kagwad,
District: Belagavi.

Petitioner No.3
Accused No.3

Shri. Ashif Nadaf ,
Son of Shri. Ilahi Nadaf,
Aged about 38 years,
Resident of Jugol village,
Taluk: Kagwad,
District: Belagavi.

Petitioner No.4
Accused No.4

Shri. Amirhamaja Nadaf
Son of Shri. Zakir Nadaf
Aged about 28 years,
Resident of Jugol village,
Taluk: Kagwad,
District: Belagavi.

Petitioner No.5
Accused No.5

Shri. Ilahi Nadaf,
Son of Shri. Jamala Nadaf,
Aged about 62 years,
Resident of Jugol village,
Taluk: Kagwad,
District: Belagavi.

Petitioner No.6
Accused No.6

Shri. Nayeem Nadaf,
Son of Shri. Nuruddin Nadaf,
Aged about 32 years,
Resident of Chinchali village in
Taluk: Jugol village,
District: Belagavi.
[Rep by- Adv. Shri. D.R.M]

Petitioner No.7
Accused No.7

AND
The State of Karnataka.
Represented by
The Station House Officer,
Kagwad Police Station,
Belagavi
[By Special Public Prosecutor]

Respondent

AND
Shri. Popat Kamble,
Son of Shri. Pandurang Kamble,
Aged about 43 years,
Resident of Jugol village,
Taluk: Kagwad,
District: Belagavi.

Informant

ORDER

On Petition under Section 482
of The Bharatiya Nagarika Suraksha Sanhita.

The petitioners are before this Court seeking pre-arrest protection under Section 482 of the Bharatiya Nagarika Suraksha Sanhita being arraigned as first accused to seventh accused in Crime No. 86 of 2026 registered by the respondent police for offence punishable under Section 189[1], Section 115[2], Section 118[1], Section 191[2], Section 191[3], Section 49, Section 352 read with Section 190 of Bharatiya Nyaya Sanhita and under Section 3[1][r], Section 3[1][s], Section 3[2][va] of Schedule Caste and Schedule Tribe [Prevention of Atrocities] Act.

2. THE SHORN PROJECTION OF THE PROSECUTION that on fateful day of 03-03-2026 when the informant visit the house of his mistress, there was demand for Rs, 10,000/- for household expenses for which the informant expressed his inability. Being irked by this the informant was necked out and the son of mistress the second petitioner questioned the conduct of informant

visiting the house of first petitioner. At that juncture it is alleged that the first petitioner ordered for assaulting the informant. Therefore, the other petitioners assaulted the informant and abused the informant in vulgar language and also by naming the caste of th informant. Therefore, a complaint came to be lodged and consequently the crime came to be registered arranging the petitioners as accused persons. Hence apprehending arrest this petition is lodge on the following grounds:-

i. The petitioners are innocent of the allegation, wherein without prima facie case the petitioners are implicated falsely. There is inordinate unexplained delay of 21 days. The offence alleged are not punishable with extreme sentence.

ii. It is further submitted that the whole family of the accused petitioners suffer hardship and these are daily wage earners supporting their family and second petitioner is a student. It is further set out that the petitioner do possess properties and deeply rooted in society and hence their abscondence is not perceivable.

3. STATEMENT OF OBJECTIONS BY THE STATE

The exclusive public prosecutor has lodged the statement of objections reiterating the complaint and apprehending it, influencing the witness, tampering with evidence, recommission of offence, despite the contents of complaint not being worthwhile to merit the consideration of this Court and the contents of the petition are false and refuted. Hence prays for rejection of the petition.

4. SAY OF THE INFORMANT:- The informant appearing in person in response to the statutory notice sought rejection of the petition on the ground that the informant fears for his life as he will be on the move being a pigmy collector working till late night and is daringly threatened with his life.

5. Amidst these conflicting claims one aspect of the matter is clear that the informant having the first petitioner as his mistress for the past several years was never illtreated nor had any apprehensions though

being a visitor to the house of first petitioner cannot now all of a sudden manifest such apprehension either of his life or sustained allegation of being assaulted. There appears to be the relationship between the informant and the first petitioner having turned sour these allegations are emanating that does not constitute a prima facie case and hence the petition is maintainable despite the bar under Section 18 of the Act.

6. Apparently unfounded human relationship is always wavery and at times enjoys high -tide and so also in times of sour it can have low-tide. These times cannot be used by the informant to bring in his caste factor which is otherwise not a question for the last several years.

7. Therefore, this is not a case warranting the “Need” and “Necessity” of arrest or custodial interrogation. Hence discretion leans infavour of the petitioners, when offence is not grave nor heinous. Imposition of conditions would suffice the requirements

of prosecution. Hence, I proceed to pass the following order.

O R D E R

- I. The petition under Section 482 of the Bharatiya Nagarika Suraksha Sanhita being arraigned petitioners as first accused to seventh accused in Crime No. 86 of 2026 registered by the respondent police for offence punishable under Section 189[1], Section 115[2], Section 118[1], Section 191[2], Section 191[3], Section 49, Section 352 read with Section 190 of Bharatiya Nyaya Sanhita and under Section 3[1][r], Section 3[1][s], Section 3[2][va] of Schedule Caste and Schedule Tribe [Prevention of Atrocities] Act, hereby stands allowed, as maintainable subject to following compliance:-
- II. The Station House Officer is directed to enlarge the first accused to Seventh accused the petitioners herein in the event upon arrest subject to further compliance:-
 - i. Each Accused petitioner shall execute a personal Bond for sum of ₹. 1,00,000/=
 - ii. That each of the accused shall furnish a

surety for the like sum.

III. That the accused shall not tamper with evidence nor influence witnesses by deterring witnesses from revealing any fact or evidence that is within knowledge of any person who may be cited as witness regarding any aspects of matter or persuade or dissuade such disclosure to the Investigation officer or Court at any time.

IV. The accused shall cooperate with investigation and appear before police in this regard whenever called for by the investigation officer.

V. The petitioners shall neither themselves nor through their men indulge in any activity that is bound to disturb the informant either physically or mentally.

[Dictated to stenographer Grade I directly on computer, typed by her, script corrected and signed and pronounced by me in the open court on this the 15th day of June 2026]

SAVITHA KUMARI .N
THE III ADDL. SESSIONS JUDGE
JUDGE OF EXCLUSIVE SPECIAL COURT.
Constituted for offence Triable under
Scheduled Castes & Scheduled Tribes
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