

KABG010045862026



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: 18 TH 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.00812 of 2026

BETWEEN:

Shri. Vithal Maradi A.k.a. Mardhi,
Son of Shri. Fakirappa Maradi
Aged about 34 years,
Resident of Kankanwadi village,
Taluk: Raibagh,
District: Belagavi.

Petitioner No.1
Accused No.4

Shri. Annappa
A.k.a Appayya Gadadi,
Son of Shri.Yallappa Gadadi,
Aged about 32 years,
Resident of Kankanwadi village,
Taluk: Raibagh
District: Belagavi.

Petitioner No.2
Accused No.5

Shri. Shivanand A.k.a Shivappa Gadadi,
Son of Shri.Yallappa Gadadi,
Aged about 22 years,
Resident of Kankanwadi village,
Taluk: Raibagh,
District: Belagavi.

Petitioner No.3
Accused No.7

Siddappa Gadadi,
Son of Shri. Ashok Gadadi,
Aged about 22 years
Resident of Kankanwadi village,

Taluk: Raibagh,
District: Belagavi.

Petitioner No.4
Accused No.9

Shri. Halappa Gadadi,
Son of Shri.Bhagappa Gadadi,
Aged about 47 years,
Resident of Kankanwadi village,
Taluk: Raibagh
District: Belagavi.

Petitioner No.5
Accused No. 11

Shri. Santosh Maradi A.k.a Mardhi,
Son of Shri. Shivappa Maradi A.k.a Mardhi,
Aged about 27 years,
Resident of Kankanwadi village,
Taluk: Raibagh,
District: Belagavi.

Petitioner No.6
Accused No.12

Shri. Sangappa
A.k.a Ramappa Maradi
A.k.a.Mardhi
Son of Shri. Kareppa Maradi
Aged about 26 years,
Resident of Kankanwadi village,
Taluk: Raibagh,
District: Belagavi.

Petitioner No.7
Accused No.16

Shri. Siddharood Gadadi,
Son of Shri. Bhagappa Gadadi,
Aged about 47 years,
Resident of Kankanwadi village,
Taluk: Raibagh,
District: Belagavi.

Petitioner No. 8
Accused No. 17

Shri. Ajjappa Maradi A.k.a Mardhi,
Son of Shri.Bhimappa Maradi
Aged about 34 years,
Resident of Kankanwadi village,

Taluk: Raibagh,
District: Belagavi.
[Rep by Adv. Shri. V. K. N]

Petitioner No.9
Accused No. 25

AND

The State of Karnataka,
The Station House Officer
Raibagh Police Station,
Belagavi.

[By Special Public Prosecutor]

Respondent No.1

AND

Shri. Bharmappa Harijan,
Son of Hanamant Harijan,
Aged about 48 years,
Resident of Tukkanatti village,
Taluk: Mudalagi,
District: Belagavi.

Smt.Laxmibai Harijan,
Wife of Bharamappa Harijan,
Aged about Major,
Resident of Tukkanatti village,
Taluk: Mudalagi,
District: Belagavi.

[In compliance of Section 15-A [5]
of Scheduled Caste & Scheduled Tribe
Prevention of Atrocities Act]

Informants.

ORDER

[On Petition under Section 483 of the
Bharatiya Nagarik Suraksha Sanhita]

The petitioner is before this Court seeking
enlargement on bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita being arraigned as 4th accused,
5th accused, 7th accused, 9th accused and 11th accused

12th accused, 16th accused & 17th accused and 25th accused in Crime No. 00208 of 2026 registered by the respondent for offence punishable under Section 189[2], Section 191[2], Section 191[3], Section 329, Section 74, Section 115[2], Section 118[1], Section 118[2], Section 351[3], Section 352 read with Section 190 of Bharatiya Nyaya Sanhita and under Section 3[1][r], Section 3[1][s], Section 3[2][v], Section 3[2][v-a] of Scheduled Castes and Schedule Tribes [Prevention of Atrocity] Ac.

2. The shorn projection of the prosecution is that the informant and his wife members of caste Hindu 'Madar' and the accused not member of scheduled caste or scheduled tribe. That on 21-05-2026, at 16:00 Hrs., when the informant and his wife had been to the land bearing R. S. No.110 to install drip pipeline in the land belonged to Satyappa Bilakar, the present petitioners and others entered the field along with sticks, and carrying stones, and started scolding the informant by abusing his caste and having questioned about conflicting claims of ownership assaulted the wife of informant by hand and

when others raised alarm the land owners and their family members came to the land raised their objections and assaulted land owner with stones and sticks and the passers by pacified the quarrel.

3. The present petitioners and others left the spot by throwing sticks and stones by giving life threat. The injured informant and other injured were rushed to Ganga Surgical and Fracture Clinic, Gokak for medical treatment. Therefore, a complaint came to be lodged.

4. During the course of investigation these petitioners 4th accused, 5th accused, 7th accused, 9th accused and 11th accused 12th accused, 16th accused & 17th accused and 25th accused were arrested and since remanded to judicial custody. Hence this petition is lodged seeking enlargement of petitioners on bail on the grounds that the petitioners are absolutely innocent and are falsely implicated. That the petitioners was arrested merely on grounds of suspicion and has been languishing in judicial custody continued

incarceration without trial amounts to pre-trial punishment.

5. The petitioners are the permanent resident of Kankanwadi Village of Taluka Raibagh, their avocation own properties with deep roots in society and chance of abscondence cannot be there. That the offences alleged are not punishable with extreme sentence. That the petitioners are of tender age and in the event of having taken into custody family will be put into to hardship.

STATEMENT OF OBJECTIONS BY THE STATE

6. This petition is resisted by the State through the Special Public Prosecutor who has lodged the Statement of objection by reiterating the contents of complaint and further states that the investigation is at nascent stage. There is every possibility of accused petitioners being emboldened in the event of being granted relief as prayed for the petitioners may indulge in similar offences. It is further contended that the

accused may even abscond permanently and cause protraction of prosecution witnesses.

SAY OF THE INFORMANT:-

8. The statutory notice was issued to the informant was served who has expressed apprehension of life threat and the accused having assaulted and occasioning loss of ₹ 2 lakh and hence the petition may be rejected.

9. In this backdrop the point that merits the consideration of this court is that :-

*Whether the petition lodged by the accused under Section 483 of the Bharatiya Nagarika Suraksha Sanhita deserves to be allowed?
And What should be the Order?*

10. I have perused the petition. statement of objections placed before me. Considering all these materials, I proceed to determine the point for consideration based on the following reasons:

REASONS

11. At the outset it is evident that two rival claimants of an agricultural land have been acting feudal Lords and employing poor labours to scramble over snatching possession from each other to the accused petitioners are poor daily wage earners are employed for their objects to be achieved.

12. Though labours should desist from involving themselves into such activities it is these landlords who use money to fuel these persons reeling under poverty and ignite caste factors and unleash them into warring factions. Thus, though there is prima-facie case, the instrumental accused are the landlords.

13. The rejection of this petition would neither serve any purpose as the interrogation that is required to be directed against landlord and not against the poor labours.

14. Further mere detention, if arrested by rejecting this application, fill the prison without any purpose and

neither these accused are able to influence the investigation.

15. The petitioners are the local residents and anchored with poverty to be locally resident, where they cannot flee and thus securing the accused petitioners is not impossibility. The imposition of conditions will suffice requirement under the Law.

16. Hence holding the point for consideration in the affirmative, I proceed to pass the following order :-

ORDER

- I. The petition under Section 483 of Bharatiya Nagarika Suraksha Sanhita lodged by the as 4th accused, 5th accused, 7th accused, 9th accused and 11th accused, 12th accused, 16th accused & 17th accused and 25th accused in Crime No. 208 of 2026, registered by the respondent police for offence punishable under Section 189[2], Section 191[2], Section 191[3], Section 329, Section 74, Section 115[2], Section 118[1], Section 118[2], Section 351[3], Section 352 read with Section 190 of Bharatiya Nyaya Sanhita and under Section 3[1][r], Section 3[1][s], Section 3[2][v],

Section 3[2][v-a] of Scheduled Castes and Schedule Tribes [Prevention of Atrocity] Act, stands allowed subject to compliance of following conditions:-

i. the petitioners each shall execute Personal Bond for Sum of Rs. 25,000/= .

ii. Furnish one surety each by the accused for the like sum.

- II. The accused Petitioners shall not tamper with any evidence that is in the knowledge of the accused Petitioners that it shall be used against them or that may be discovered at any point of time in by further investigation.
- III. Accused shall appear before the Investigation Officer on every Monday until lodgment of Final Report.
- IV. The attendance book shall be produced before this Court on every Tuesday for scrutiny.
- V. Any violation, the prosecution is at liberty to move this Court for cancellation of bail.
- VI. The accused Petitioners shall not induce or influence any persons who has been

examined or may be examined by the prosecution or any person who knows the facts of this case and thereby induce or dissuade such person or persons from disclosing the facts about this case to any public servant or investigation officer or to the court in trial that may ensue.

VII. The accused Petitioners shall attend the court and proceedings on all dates of hearing without fail.

[Dictated to stenographer Grade I directly typed on computer, script corrected and signed and pronounced by me in the open court on this the 18th day of June 2026]

SAVITHA KUMARI. N
III Additional Sessions Judge,
The Exclusive Special Court constituted.
for offence triable under Scheduled Castes &
Scheduled Tribes [Prevention of Atrocities] Act.
Belagavi.