

KABG420008902026



**IN THE COURT OF VII ADDL. DISTRICT AND SESSIONS
JUDGE, BELAGAVI SITTING AT CHIKODI.**

:: PRESENT ::

SRI. VIJAY KUMAR, B.Sc., L.L.B,
VII Addl. District & Sessions Judge,
Belagavi sitting at Chikodi.

DATED THIS THE DAY OF 09th JUNE, 2026

:: CrI. Misc.No.5296/2026 ::

PETITIONER: **Venkatesh @Venkatapati Maruti Naik,**
Aged about 30 years,
Occ: Teacher,
R/o: Khanadal, Tq: Raibag,
Dist: Belagavi.
Aadhar No. 2157 7599 8305.
(Accused No.3 as per FIR)

[By: Sri. S.B. Patil, Advocate]

-V/s-

RESPONDENT: State by **Harugeri P.S.**

[By: Public Prosecutor]

**ORDERS ON ANTICIPATORY BAIL PETITION FILED BY THE
PETITIONER/ ACCUSED No.3 U/S 482 OF BNSS, 2023.**

This bail petition filed U/Sec.482 of BNS by accused No.3
praying to enlarge him on bail in the event of arrest in Crime

No.199/2026 registered at Harugeri Police for the offence punishable U/Sec. 189(2), 191(2),191(3), 137,140, 127,308, 115(2), 118(1), 351(2), 352 and 190 of BNS.

2. The brief facts of the prosecution case as under:-

The complainant had negotiated with Gopala Bekkeri to sell his land due to his family's financial needs. After learnt about this, the accused No.1 contacted the complainant and said that while he could sell the land to anyone, he needed to pay him the sale consideration amount. If the complainant failed to do so, the accused No.1 threatened to kidnap him and his family and burn them alive. On 05.05.2025, the complainant sold the land to Gopala Bekkeri. A few days later, the accused No.1 called the complainant again, demanding that he pay the amount in which he had received from the sale of the land. If he did not comply, the accused threatened to kidnap him. On 10.05.2025, at about 6:00 AM, while the complainant was alone at home, the accused No.3 and 4 came and forcibly took him in a car belonging to the accused No.3. They assaulted him, and the accused No.1 threatening via phone call, telling the complainant he would face dire

consequences. The complainant was then taken to the house of the accused No.5 in Jamakhandi, where he was confined for two days. Subsequently, the accused persons assaulted the complainant, stabbing him with a stick. Accused No. 3 to 5 make a phone call to the complainant brother and stated that if he wanted to his brother, he should sign what they provided. They also demanded money to transfer it to the account of accused No.1. Accordingly, he transferred Rs. 4,00,000/- to that account. Additionally, Rs. 3,00,000/- was transferred to the account of Gopala Bekkeri out of a total of Rs. 6,00,000/-, and Rs. 3,00,000/- in cash was collected. Furthermore, accused No. 1 demanded an additional payment of Rs. 1,00,000/- to a bank account. Following this, the complainant and his brother deposited the requested amount. Afterwards, the accused persons dropped the complainant near his home. Later, accused No. 1 learnt that the complainant had sold another land to one Vishwanath Muthnala on 04.01.2026, and he demanded payment related to this sale as well. He threatened that failure to comply would result in the kidnapping and murder of the complainant. Consequently, the

complainant approached the police and filed a complaint. Based on this complaint, the police registered an FIR and subsequently arrested accused Nos. 4 and 5.

3. The accused No.3 sought bail on the ground that, he has been falsely implicated in this case and he is innocent and law abiding person in the society. The alleged financial dispute is between the complainant and accused No.1 and he is not related to the said incident. There is a delay in filing the complaint for more than one year from the date of incident and it is not properly explained. There is no injury caused to the complainant to attract section 140 of BNS. The alleged offences are not punishable with life imprisonment, he is ready and willing to abide by any terms and condition imposed by this court while releasing on his bail. On these grounds, he request that the petition be allowed.

4. The Learned Public Prosecutor filed an objection stating that, the investigation is under progress, at this stage, if anticipatory bail is granted to the petitioner there are chances of threatening the witnesses and also absconding, the

petitioner has not shown sufficient ground to grant bail. Among other grounds, the learned P.P. has prayed to reject the bail petition.

5. Heard arguments on both sides. The following points that arise for my consideration;-

1. Whether the petitioner/accused No. 3 has made out sufficient grounds to grant anticipatory bail?

2. What order?

6. My answers to the above points are as follows:

Point No.1:-In the Negative.

Point No.2:-As per final order:

-: REASONS :-

7. **Point No.1:-** The material on record discloses that the first informant initially submitted a complaint, leading the police to register a FIR against five persons. During the investigation, Accused No.4 and 5 were arrested and produced before the Magistrate on 17.05.2026. The allegation is that, the accused No. 1 to 5 abducted the complainant and demanded ransom and also succeeded to get the money from the complainant brother.

8. Perused the FIR. As per the facts put forth before this court, it could be ascertained that, the investigation is in progress and charge sheet is not laid. Learned PP submitted that the accused No.3 is absconded and is not co-operate for investigation. If he is released on bail then he might abscond from the jurisdiction of the court which will hamper the investigation and also trial. Further he may tamper or threaten the prosecution witnesses.

9. The Hon'ble Apex Court in the case of **Sushila Aggarwal and others V/s. State (NCT of Delhi) AIR 2020 SC 831**, it has been held that while considering an application for grant of anticipatory bail, the court has to consider the nature of the offence, the role of the person, the likelihood of his influencing the course of investigation, or tampering with evidence including intimidating witnesses, likelihood of fleeing justice, such as leaving the country, etc. It has further been held that Courts ought to be generally guided by considerations such as the nature and gravity of the offences, the role attributed to the applicant, and the facts of the case,

while considering whether to grant anticipatory bail, or refuse it. Whether to grant bail or not is a matter of discretion of the Court.

10. Upon considering the arguments presented by the accused counsel, it is admitted that the financial dispute is in between the Complainant and accused No.1. This admission discloses that the accused No.1 had planned to abduct the complainant. The accused No.3 and 4, who were adducted the complainant from his house and wrongfully confined in the house belongs to the accused No.5 at Jamakhandi Town. Thereafter as per instructions of the accused No.1 they were assaulted and demanded ransom from complainant brother, accordingly the accused persons collected Rs. 8,00,000/-. The investigation is ongoing, and the amount transferred to Bank account of accused No.1 as well as cash is not yet been recovered. In the I. O. report, it is mentioned that the accused No.1 name entered in the rowdy sheeter and more than 24 cases registered against Accused No.2, who are absconded. In the IO report it is mentioned that Accused No.3 is involved in

Crime No.158/2026 for the offence U/Sec. 189(2), 191(2), and in Cri. No.173/2026 for offence U/Sec. 352 and 351 pending for investigation before Harugeri P.S. Applying these parameters to the facts and circumstances of the present case, no special grounds urged in his bail application to grant the bail. If bail is granted, there are every chances of absconding from the clutches of the law and repeated the similar offences. There are criminal antecedents against accused No.3. In such circumstances, it is not a fit case to exercise discretionary power to grant bail. Accordingly, I answered point No.1 in the 'Negative'.

11. **Point No.2:-** For the reasons given to point No.1, I proceed to pass the following:

:: O R D E R ::

The bail petition filed by the petitioner/
Accused No.3 U/Sec. 482 of BNSS is rejected.

(Dictated to the Stenographer directly on computer, typed by her, corrected by me and then pronounced in the open Court on this the 09th day of June, 2026)

(SRI. VIJAY KUMAR)
VII Addl. District and Sessions Judge,
Belagavi, sitting at Chikodi.