

KABI010025322026



**IN THE COURT OF I-ADDITIONAL DISTRICT &
SESSIONS JUDGE AT BALLARI**

DATED THIS THE 24th DAY OF JUNE, 2026

: PRESENT :

Sri. H.A. Mohan, **B.A.L., LL.B.**,
I-Addl. District & Sessions Judge, Ballari

CRIMINAL MISCELLANEOUS No.642/2026

PETITIONER/ Accused No.3 :-

Eshwrappa @ K Eshwara
S/o K. Ramanna,
Aged about 61 Years,
Occ: Retired Revenue Inspector,
R/o B5, Ward No.19, Ananthapur Road,
2nd Stage, Raghavendra Colony, Ballari.

(By Sri Ramanna K., Advocate)

//Vs//

RESPONDENT :-

The State by the P.S.I.,
Sirigeri Police Station.

(By Public Prosecutor, Ballari)

ORDER

This is a petition under Section u/Sec.438 of Cr.P.C., filed by the accused No.3 in Crime No.131/2025 of Sirigeri police station, for the offences punishable under Sections 420, 465, 467 and 471 of I.P.C., seeking grant of anticipatory bail, in the event of his arrest.

2. It is stated that, the petitioner/accused No.3 is nothing to do with the alleged crime. He has not at all involved in the alleged crime. He has discharged his duty in accordance with law. There is inordinate delay in lodging complaint. The alleged incident took place in the year 2016, but this complaint has been filed in the year 2025. The alleged offences are not punishable with death or imprisonment for life. He is a public servant and acted in accordance with law. He is ready to co-operate with any type of investigation. He is ready to abide by any of the conditions that may be imposed. Accordingly, prayed to allow the petition.

3. This petition is resisted by learned Public prosecutor by filing objection. It is stated that, the petitioner has colluded with one Smt. Sridevi and got created mutation entry on the basis of fabricated documents. There is an impersonation. This petitioner has assisted accused No.1 to create illegal entry in the revenue records in order to deprive the rights of complainant. Therefore, he is not entitled for anticipatory bail. He has not co-operated for investigation. Accordingly, prayed to reject the petition.

4. Heard the learned counsel for the petitioner and the learned Public Prosecutor.

5. The following points that arise for my consideration:

1. Whether petitioner/accused No.3 has made out grounds for enlarging him on anticipatory bail?
2. What order?

6. My answer to the above points are as under:

Point No.1: In the affirmative.

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

REASONS

7. **Point No.1** :- After having heard both sides I have perused the records. The allegation against this petitioner is with regard to impersonation and fabrication of documents pertaining to the land of complainant bearing Sy.No.334/A2 measuring 02 Acres of M. Sugur village. But, the alleged documents were fabricated in the year 2016. This complaint was submitted during the year 2025. Why there was delay and why the revenue documents were not verified for a period of more than nine years has not been explained. Moreover, as per the documents produced by the learned counsel for petitioner pertaining to accused No.2, further proceedings were held before the Tahsildar and canceled the earlier entry and ordered to mutate the name complainant in the revenue documents. How the alleged impersonation was taken place and how the documents were fabricated during the year 2016 are to be

proved during the course of trial after charge sheet is filed. The materials can be collected by examining the accused No.3 and by collecting relevant documents which are available. They cannot be tampered at this stage. The role of this petitioner has not been made out at this stage. Therefore, I am of the opinion that the petitioner has made out grounds for granting anticipatory bail. Hence, I hold that by imposing some stringent conditions, the petitioner may be enlarged on anticipatory bail. Accordingly, I answer the above point in the affirmative.

8. **Point No.2** :- In the result, I proceed to pass the following :

ORDER

The petition filed by the petitioner/accused No.3 under Section 438 of Cr.P.C., is hereby allowed.

The respondent police are directed to enlarge the petitioner on bail, in the event of his arrest pertaining to Crime No.131/2025 of Sirigeri P.S., on his executing personal bond for Rs.50,000/- and one surety for like sum, on the following conditions :

1. The petitioner shall not directly or indirectly threaten or tamper with the prosecution witnesses.

2. The petitioner shall co-operate for investigation by appearing before the I.O., after receipt of notice.

3. The petitioner shall not flee away from justice.

(Dictated to the Stenographer Grade-I, transcribed & computerized by him, script corrected and then pronounced by me in the Open Court on 24th day of June, 2026)

(H.A. Mohan)

I Additional Sessions Judge,
Ballari.

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