

KABI010026292026



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

DATED THIS THE 6th DAY OF JULY, 2026

: PRESENT :

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

CRIMINAL MISCELLANEOUS No.671/2026

PETITIONER :-

Chandra Shekar
S/o Venkata Ramanna @
Hanumanthappa,
Aged about 23 Years,
R/o Ward No.22, Talur Road,
Near Nagappa Katte, Ambedkar Nagar,
Ballari.

(By Sri V.G.P., Advocate)

//Vs//

RESPONDENT :-

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

(By Public Prosecutor, Ballari)

ORDER

This is a petition filed under Section 482 of B.N.S.S. 2023 by the accused in Crime No.53/2026 of Moka police station, whose name has not been shown in the F.I.R., for the offences punishable under Section 308(2) R/w Section 3(5) of the Bharatiya Nyaya Sanhita (BNS), 2023, seeking grant of anticipatory bail, in the event of his arrest.

2. It is stated that, the petitioner is a law abiding citizen. He has not at all involved in the alleged crime, but a false case has been registered and he has been falsely implicated. There are no direct or indirect material to show his participation in the alleged crime. Nobody has identified him while receiving the alleged money.

3. It is further stated that, he is permanent resident of address as shown in the cause title. Hence, there are no chances for him to flee away, but the police are trying to arrest him and humiliate him in the eye of public. If he is arrested, his reputation will be at stake in a public view. 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.

4. This petition is resisted by learned Public prosecutor by filing objection along with I.O. Report. It is stated that, by misusing the situation, this petitioner along with others tried to extract money from the complainant when he was transporting Rice. There is material to show that this petitioner has involved in the crime. He was assisting the person sitting in the car and he actually received the amount. The investigation is going on. Identification parade is required to be done in accordance with law. Therefore, the presence of this petitioner is very much required for identification parade. Therefore, if anticipatory bail is granted, investigation would be prejudiced. Accordingly, prayed to reject the petition.

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

6. The following points that arise for my consideration:

1. Whether petitioner has made out grounds for enlarging him on anticipatory bail?

2. What order?

7. 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

8. **Point No.1** :- During the course of arguments, the learned counsel for petitioner has pointed out that, absolutely there is no material to show that he was at the scene of alleged crime. The police have recovered the amount of Rs.3,00,000 from the Accused Nos.1 and 2. They never whispered the name of this petitioner. Any conditions may be imposed while granting anticipatory bail.

9. It is to be noted that, this case has been registered on the complaint filed by the owner of the Rice.

The allegation is that while transporting Rice, the accused Nos.1 and 2 along with other accused, by stating that, they are from the S.P. Squad and stopped the lorry and asked them to give Rs.5,00,000 to allow them to move the Lorry. Thereafter, a sum of Rs.3,00,000 was collected from the owner of Lorry. Already accused Nos.1 and 2 were arrested and from them money is recovered. They have been released on bail. It is submitted that, there is video recording which shows the presence of this petitioner. Under the facts and circumstances, conducting of identification parade is absolutely necessary to identify the other persons. Therefore, the petitioner has given undertaking to that effect, by stating that even if anticipatory bail is granted, if necessary, he is ready to undergo Test Identification Parade for the purpose of conducting investigation.

10. In view of the said clear undertaking given and since the alleged offences are not punishable with death or imprisonment for life. This court has already granted anticipatory bail in favour of Sri Gadilingappa by imposing

conditions. Hence, I hold that by imposing same stringent conditions, the petitioner may be enlarged on anticipatory bail. Accordingly, I answer the above point in the affirmative.

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

ORDER

The petition filed by the petitioner under Section 482 of B.N.S.S. 2023, is hereby allowed.

The respondent police are directed to enlarge the petitioner on bail, in the event of his arrest pertaining to Crime No.53/2026 of Moka P.S., on his executing personal bond for Rs.1,00,000/- and one surety for like sum, on the following conditions :

1. The petitioner shall surrender before the concerned police/jurisdictional police within 10 days from the date of this order to assist the police for conducting investigation, in accordance with law.

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

3. The petitioner shall not involve in any type of criminal activities.

4. The petitioner shall not leave the jurisdiction of this Court till filing of the charge sheet.

It is made clear that, granting of this anticipatory bail to petitioner will not come in the way of I.O., to conduct Test identification parade, to identify the persons. The petitioner shall co-operate for it, without raising any objection.

(Dictated to the Stenographer Grade-I, transcribed & computerized by him, script corrected and then pronounced by me in the Open Court on 6th day of June, 2026)

(H.A. MOHAN)

I Additional Sessions Judge,
Ballari.

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