

KABI010026922026



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

DATED THIS THE 8th DAY OF JULY, 2026

: PRESENT :

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

CRIMINAL MISCELLANEOUS No.676/2026

PETITIONER/ Accused No.3 :-

M D Mehaboob
S/o Mahammad Rabbani,
Aged about 33 Years,
R/o 11th Ward, Near Anjineya Temple,
Indira Nagar, Kurugodu,
Ballari District.

(By Sri S. Rangaswamy., Advocate)

//Vs//

RESPONDENT :-

- 1.** The State by the P.S.I.,
Kurugod Police Station.
- 2.** Gururaj
S/o Late V. Rajanna,
Aged about 31 Years,
R/o 15th Ward, Near Thayamma Katte,

Kurugodu Village, Ballari Taluk and District.

(By Public Prosecutor, Ballari)

ORDER

This is a petition filed under Section 482 of B.N.S.S. 2023 by the petitioner/ Accused No.3 in Crime No.21/2026 of Kurugod police station, seeking grant of anticipatory bail, in the event of his arrest.

2. It is stated that, there are no reasonable grounds to show that this accused has involved in the alleged crime. But, he has been falsely implicated for the offences alleged. He has not at all abused with reference to the caste of the complainant and not at all involved in the case. In fact, the complainant is not a good citizen. Due to his ill-treatment, Smt. Chaitra has committed suicide and in that regard, case has been registered. The question of instigating the accused No.1 to commit the alleged offences against the complainant does not arise.

3. It is further stated that, the petitioner is having apprehension of arrest. He is innocent, law abiding citizen

and he has got deep roots in the society. Therefore, there are no chances of him to flee away from justice. He is ready to abide by any of the conditions that may be imposed. Accordingly, prayed to allow the petition.

4. In response to the notice issued, the learned Spl. Public prosecutor appeared and filed the objections. The complainant/Victim has also appeared and filed his objection. Accordingly, prayed to reject the petition.

5. Heard the learned counsels for the parties. Perused the records.

6. The following points that arise for my consideration:

1. Whether petitioner has made out grounds to grant anticipatory bail to him?
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** :- It is seen that the police have already completed investigation and submitted charge sheet. The allegation against this petitioner is that, he has instigated the accused No.1 to commit the offences against the complainant. Therefore, the main allegations are against the accused No.1. There are financial transactions in between complainant and others. The alleged incident was taken place in connection with the loan borrowed by deceased Chaitra wife of Guru. She has committed suicide on 13.11.2025. So, there have been some transactions in between complainant and accused persons. Therefore, it is not possible for this Court, at this stage, to come to a conclusion that there was intentional insult to humiliate the complainant with reference to his caste. Therefore, the decision cited by the learned counsel for petitioner in a case, between **Basanagouda Ninganagouda Patil Vs State of Karnataka** dated **9.3.2026** can be relied upon.

9. The Hon'ble High Court, by relying upon the Judgments of the Hon'ble Supreme Court, has held that, in

case, if there is no clear averments with regard to abusing the person belongs to SC/ST in a public view, the Sessions Court gets jurisdiction to entertain anticipatory bail.

10. In view of the above facts and circumstances and since the investigation has already been completed and submitted charge sheet and this Court has issued the summons, I am of the opinion that, by imposing some conditions, the petitioner may be enlarged on anticipatory bail and the conditions would meet the ends of justice. 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 under Section 482 of B.N.S.S. 2023 by the petitioner/Accused No.3 is hereby allowed.

The respondent police are directed to enlarge the petitioner on bail, in the event of his arrest pertaining to Crime No.21/2026 of Kurugod 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 surrender before the jurisdictional court within 10 days from the date of this order and to obtain regular bail.

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

3. The petitioner shall not flee away from the justice.

4. The petitioner shall appear before the Court for conducting trial regularly.

5. The petitioner shall not interfere with the complainant in any manner.

(Dictated to the Stenographer Grade-I, transcribed & computerized by him, script corrected and then pronounced by me in the Open Court on 8th day of July, 2026)

(H.A. MOHAN)

I Additional Sessions Judge,
Ballari.

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