

KABK220001302026



Crl.Misc./10012/2026

**IN THE COURT OF THE III ADDL. DISTRICT &  
SESSIONS JUDGE, BAGALKOTE, SITTING AT: MUDHOL**

**PRESENT**

**SRI. GURURAJ G. SHIROL,**

**B.Com., LL.M.,**

**III Additional District & Sessions Judge,  
Bagalkote, sitting at Mudhol**

**Crl. Misc. No.10012/2026**

**Dated this the 13<sup>th</sup> day of March-2026**

**PETITIONER:**

1. **Ramesh S/o Rangappa Singaraddi,**  
Age:48 years, Occ: Agriculture,  
R/o: Bhantanur village, Tq: Mudhol,  
Dist:Bagalkot.
2. **Smt. Savita W/o Ramesh Singaraddi,**  
Age: 40 years, Occ: Agriculture,  
R/o: Bhantanur village, Tq: Mudhol.
3. **Krishtappa @ Kristappa S/o Ranagappa  
Singaraddi,**  
Age: 60 years, Occ: Agriculture,  
R/o: Bhantanur village, Tq: Mudhol.
4. **Sunil S/o Krishtappa Singaraddi,**  
Age:30 years, Occ: Agriculture,  
R/o: Bhantanur village Tq: Mudhol.
5. **Govindappa S/o Bhimappa Singaraddi,**  
Age: 62 years, Occ: Agriculture,  
R/o: Bhantanur village Tq: Mudhol.

6. **Basavaraj S/o Govindappa Singaraddi,**  
Age: 34 years, Occ: Agriculture,  
R/o: Bhantanur village Tq: Mudhol.
  7. **Naveen S/o Timmappa Singaraddi,**  
Age: 36 years, Occ: Agriculture,  
R/o: Bhantanur, Tq: Mudhol.
- (By Sri. S.P.Vastrad Advocate)**

**V/s.**

**RESPONDENT:**

1. The State of Karnataka,  
through PSI Lokapur P.S.  
R/by Public Prosecutor, Mudhol

**(By Learned Public Prosecutor, Mudhol)**

**ORDER**

The petitioners have filed this petition under section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to grant them anticipatory bail in Mudhol P.S Cr. No.20/2026 for the offences punishable U/s 189(2), 191(2), 191(3), 329(3), 118(1), 109, 352, 351(2) r/w 190 of BNS-2023.

**(2) Facts leading to petition are as under:**

That complainant and accused No-1 are the family members. Residing adjacent to each other. Since then they are not in good terms. The complainant had prepared for erecting compound wall, the accused persons picked up quarrel contending that, proposed constructions fall within the share of their property. The elders

asked the complainant to leave one feet and erect the compound. On 16.02.2026 at about 5.30 a.m, when the complainant and their family members walking in front of their house, the accused persons formed themselves into unlawful assembly having armed with clubs and stones, criminally trespassed into the land of the complainant abused them in filthy words, and assaulted the complainant and his family members with clubs, stone and hands and caused simple and grievous injuries. They also put them on life threat. On these allegations the complainant has lodged complaint and the case was registered under Crime No.20/2026 of Lokapur P.S for the above offences. Apprehending their arrest the petitioners have moved this petition on the following grounds.

**(3) Grounds for bail:-**

- i) *That the petitioners are innocent persons, they have not committed any of the alleged offences.*
- ii) *The petitioners persons are falsely implicated in this case.*
- iii) *The petitioners are the bread earning members of the family and if they are arrested the entire family will suffer.*

- iv) The offence U/s 109 of BNS-2023 is not attracted. The alleged offences are not punishable with life imprisonment or death.*
- v) The petitioners are permanent residents of Bhantanur village having movable and immovable properties. So, there is no possibility of petitioners fleeing away from justice.*
- vi) The petitioners have filed complaint against the accused persons and hence as counter the present case is filed.*
- vii) The petitioners are ready to abide by the conditions imposed and willing to furnish surety to the satisfaction of the Court, if they are released on bail.*

On these grounds, the petitioners pray to enlarge them on bail.

**(4) Objections of Prosecution:**

The learned Public Prosecutor filed objection denying the contentions of the petitioners. Learned PP reiterates the complaint averments. If the petitioners are released on bail they may again indulge in fighting, they may flee away from justice, they may tamper with the prosecution witnesses. On

these grounds, the prosecution prays for rejection of the petition.

(5) I.O. also submitted his report.

(6) Heard arguments of learned counsel for the petitioner and learned public prosecutor for the prosecution. Perused the case records.

(7) Now, the following points arise for consideration of this court:

1. ***Whether the petitioners are entitled for bail?***
2. ***What order?***

(8) On the basis of the materials on record, above points are answered as under:

1. *In the Affirmative with respect to petitioner No-2, 3 and 5 and negative with respect petitioner No-1, 4, 6 and 7.*
2. ***As per final order for the following:***

### **REASONS**

(9) **POINT NO.1:-** On perusal of the copy of the FIR and complaint, the offences alleged are U/s 189(2), 191(2), 191(3), 329(3), 118(1), 109, 352, 351(2) r/w 190 of BNS-2023. Though

some of them are non-bailable in nature, they are not punishable with “death or imprisonment for life”.

**(10)** On perusal of the FIR and complaint it clearly shows that the alleged incident has taken place on 16.02.2026 at 5.30 a.m and the complaint has been registered on 16.02.2026 at 08.30 p.m. Moreover already the present petitioner No-1 has lodged complaint before Lokapur P.S in Crime No.21/2026 for the offences punishable U/s 189(2), 191(2), 191(3), 329(3), 118(1), 109, 352, 351(2) r/w 190 of BNS-2023 against the complainant of this case and his family members on 16.02.2026 at 08.30 p.m. It appears that there is a open clash between the two parties and members of both the parties have suffered injuries.

**(11)** On perusal of the objections filed and the report of the investigating officer it shows that, spot mahazar and other investigation was not possible as the injured are still under treatment. Even there is no any medical record showing that the victims in this case have suffered any grievous injuries or life threatening injuries.

**(12)** At this stage prima facie appears that there was incident occurred on 16.02.2026 at 5.30 a.m due to which

both the parties suffered injuries. If all of them are released there is possibility of second round of fight between them which may result in further serious consequences.

However, on perusal of the age of the petitioner No-2, 3 & 5 they are aged more than 60 years and are senior citizen. Petitioner No-2 is a lady. Thus there is no possibility of them fleeing away from justice or repeating the offence. Hence they are entitled for bail on certain conditions.

**(13)** Coming to the case of other accused persons, they are young and the overt-acts alleged against them are serious in nature. As per the report of the investigating officer the investigation is not yet commenced in this case as the injured victims are still under treatment. Looking to the overt-acts alleged against them and their age, the possibility them fleeing away from justice or indulging in similar offences as alleged by the prosecution cannot be ruled out. If this apprehension comes true, it will create hindrance in investigation and it may adversely affect the investigation and trial. Therefore, this court is of the considered opinion that, the petitioner No-1,4,6 & 7 are not entitled for the discretionary relief of anticipatory bail. Accordingly Point No-1 in respect of petitioner No-2, 3 & 5

is answered in the **Affirmative** and Negative with respect to petitioner No-1,4, 6 & 7.

**(14) POINT No.2:-** In view of finding on point No.1, the court proceeds to pass the following:

**ORDER**

The petition filed by the petitioners/Accused No-2, 3 & 5 U/s 482 of BNSS-2023 seeking anticipatory bail is **allowed**.

The petition filed by the petitioners/accused No-1, 4, 6 & 7 is hereby **rejected**.

*In the result, the petitioner/**Accused No-** 2, 3 & 5 are directed to be released on bail in the event of their arrest in Lokapur PS Crime. No.20/2026 for the offences punishable U/s 189(2), 191(2), 191(3), 329(3), 118(1), 109, 352, 351(2) r/w 190 of BNS-2023, on executing personal bond for a sum of Rs.1,00,000/-each with one surety for the like sum, to the satisfaction of concerned investigating officer subject to the following conditions:*

- 1 *The petitioners/accused No- 2,3 & 5 shall surrender before the investigating officer within 15 days from today.*

2. *The petitioners/accused No- 2,3 & 5 shall not tamper with the prosecution witnesses.*
3. *The petitioners/accused No- 2,3 & 5 shall not commit any offence in future.*
4. *The Petitioners/Accused No- 3 & 5 shall mark their attendance before the IO on every Sunday between 10:00AM to 5:00PM till filing of charge sheet or 60 days whichever is earlier.*

(Dictated to the Stenographer directly on computer and typed by him and corrected, signed and then pronounced by me in the Open Court on this 13<sup>th</sup> day of March-2026).

**Sd/-**  
**(GURURAJ G. SHIROL)**  
**III Addl. District & Sessions Judge,**  
**Bagalkote, sitting at Mudhol.**