

KABR010008032026



**IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS
JUDGE, BENGALURU RURAL DISTRICT, BENGALURU.**

Dated this the 25th day of March, 2026.

PRESENT:

Smt. B.S. Rekha, B.A. (LAW), LL.M.,
Principal District & Sessions Judge,
Bengaluru Rural District,
Bengaluru.

Crl.Misc.No.451/2026

Petitioner : Chanchamma, A.3
W/o Malakondaiah,
Aged about 60 years,
R/at: No.39, 1st Main Road,
3rd Cross, Mariyappa Layout,
Avalahalli Village,
Bidarahalli Hobli,
Bengaluru-560 049.

*Represented by
Sri Sonnappa Reddy Desai-Advocate.*

V/s.

Respondent : State of Karnataka by
Avalahalli Police Station.

*Represented by
learned Public Prosecutor.*

ORDER

The learned counsel for petitioner has filed this petition U/S.482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter called as BNSS, 2023 for convenience) praying for anticipatory bail on behalf of petitioner in Crime No.43/2026 of Avalahalli Police Station, Rural District, Bengaluru for the offences punishable under Ss.118(2), 352, 109, 45 R/W. S.3(5) of Bharatiya Nyaya Sanhita, 2023 (hereinafter called as BNS, 2023 for convenience) on the file of learned Addl. Chief Judicial Magistrate, Bengaluru Rural District.

2.1. The facts of complaint are reiterated in detail in the bail petition. It is further stated in the bail petition that the petitioner is innocent of the alleged offences and has not committed any offence as alleged by the complainant. There are no ingredients to attract the offence alleged against the petitioner and there is no prima-facie case made out against the petitioner. At the time of recording the statement of the complainant, the

name of this petitioner is not mentioned in the complaint or in the FIR, but, after lapse of 7 days, intentionally the name of present petitioner is inserted. The complainant and other victims are discharged from the hospital. The family of the complainant and the petitioners are relatives and neighbours. The petitioner is ready to abide by the conditions imposed by this court.

2.2. It is further contended that the petitioner is aged about 60 years and is a peace loving citizen. The petitioner is the permanent resident of address mentioned in the petition cause-title. The petitioner is ready and willing to furnish surety to the satisfaction of this court. Hence, prayed for allowing the petition.

3. The Learned Public Prosecutor has filed objections to the petition, wherein she has narrated the entire facts of the case in short and contended that the information regarding the Investigating Officer visiting the place of incident and drawing of panchanama is yet

to be obtained. The statement of witnesses is yet to be recorded. The accused No.3/petitioner has abetted accused No.1 & 2 for commission of offence. The investigation of the case is still in progress. If petitioner is granted with anticipatory bail, there is every chance of tampering with the witnesses, hampering the investigation and committing similar offences. Hence, prayed for rejection of bail petition.

4. Heard arguments of both sides.

5. From the above facts, the points that arise for consideration are:-

1. *Whether the petitioner is entitled for anticipatory bail?*
2. *What order?*

6. Findings of this Court on the above points are as under:-

Point No.1: In ***Affirmative***;

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

REASONS

7. **Point No.1**:- The complainant Ramesh, S/o Chinna Kondaiah has lodged the complaint on 01.02.2026 at 1.30 p.m., which is registered in Crime No.43/2026 alleging the offences punishable under Ss.118(2), 352, 109, 45 R/W. S.3(5) of BNS, 2023.

8.1. It is stated in the complaint that the complainant is residing at Avalahalli along with his parents since 5-years. One Malakondaiah and his son Maladri are residing adjacent to their house and they are neighbours to the complainant. There were petty quarrels between them often and often.

8.2. It is further alleged that on 01.02.2026 at about 7.00 a.m., the father and mother of the complainant-Chinnakondaiah and Chinna Krishnamma had been for walking and at about 8.00 a.m., when they were returning from walk, their neighbours Malakondaiah and his son Maladri suddenly picked up

quarrel with them and abused them in filthy language. They have assaulted on the head and all over the body of the father of the complainant with a club and caused grievous injuries to him and also assaulted on the head, hands and body of his mother and caused fracture to her right hand. When the complainant tried to pacify the quarrel, Maladri has assaulted him on his head and all over the body with club and caused injuries. As the father of the complainant sustained grievous injuries, he was shifted to Manipal Hospital for further treatment. Hence, prayed to take legal action against the accused persons.

9. The above facts alleged in the complaint *prima-facie* reveals the offences punishable U/Ss.118(2), 352, 109, 45 R/W. S.3(5) of BNS, 2023. Amongst them, the offences under Ss.109, 118(2) of BNS, 2023 are non-bailable in nature, the maximum punishment is imprisonment for life and fine and triable by the court of Sessions.

10. It is submitted that the name of petitioner is not mentioned either in the complaint or in the FIR. But, later as per the statement of the father of the complainant, the name of this petitioner has been inserted.

11. The allegation against this accused No.3/petitioner is that she has abetted accused No.1 & 2 for commission of offence against the parents of the complainant.

12. However, no wound certificates or any medical documents are produced by the prosecution to know about the nature of injuries sustained by the complainant and his parents. Whether the petitioner has instigated the accused No.1 & 2 for commission of offences or not is a matter to be investigated and to be proved at the time of full-fledged trial.

13. As the petitioner is ready to abide by the terms and conditions that may be imposed by this Court for

her release, the apprehension of learned Public Prosecutor that tampering and threatening prosecution witnesses, commission of similar offences and abscondence of petitioner could be safeguarded by imposing suitable conditions. Therefore, this Court holds that petitioner is entitled for anticipatory bail with some suitable conditions. Accordingly, the point No.1 is answered in the ***Affirmative***.

14. **Point No.2:-** In view of findings on point No.1, this Court proceeds to pass the following:-

ORDER

The bail petition filed under Section 482 of BNSS, 2023 is hereby **allowed**.

Anticipatory bail is granted to the petitioner. The respondent-Police is hereby directed to release the petitioner on bail in the event of her arrest in Crime No.43/2026 for the offences punishable U/Ss.118(2), 352, 109, 45 R/W. S.3(5) of BNS, 2023 subject to following conditions:-

1. The petitioner shall execute personal bond for a sum of ₹.1,00,000/- with a surety for like-sum to the satisfaction of concerned Magistrate Court/arresting authority.
2. She shall not threaten or tamper with the prosecution witnesses directly or indirectly.
3. She shall not commit similar offences.
4. She shall appear before Investigating Officer, as and when called for investigation during the reasonable hours of the day.
5. She is hereby directed to appear before the concerned Magistrate within the period of 30 days from the date of this order to execute the personal bond and surety bond and also appear before the Investigating Officer.

If any of these conditions are violated, then the bail bond will be automatically cancelled.

(Dictated to the Stenographer, transcribed and typed by her, corrected, print out taken, signed and pronounced by me in the open Court on this the 25th day of March, 2026).

(B.S. REKHA)
Prl. District & Sessions Judge,
Bengaluru Rural District,
Bengaluru.