



Presented on :12.06.2026

Registered on :12.06.2026

Decided on :22.06.2026

Duration :10 days.

**IN THE COURT OF II ADDITIONAL DISTRICT AND
SESSIONS JUDGE, BENGALURU RURAL DISTRICT,
BENGALURU**

Dated this the 22nd day of June, 2026

:PRESENT:

Shri. Mohammed Mujeer Ulla C.G.,
B.A. LL.B,
II Additional District and Sessions Judge,
Bengaluru Rural District, Bengaluru.

Criminal Miscellaneous No.1222/2026

Petitioners

: 1. Sumant. D.H,
S/o. Hemanth Kumar,
Aged about 19 years,
R/at Haragadde village,
Jigani Hobli,
Anekal Taluk,
Bengaluru - 560 105.

(In FIR, accused No.1)

2. Subash.R,
S/o. Raju,
Aged about 18 years,
R/at Haragadde village,
Jigani Hobli,
Anekal Taluk,
Bengaluru - 560 105.

(In FIR, accused No.2)

(Repted. by Sri. Narayana, Adv.)



Vs.

Respondent : 1. The State through Jigani Police Station
(Represented by the learned Special Public Prosecutor)

2. Mohan Kumar,
S/o. Yallappa,
R/at Nanjapura village,
Jigani Hobli,
Anekal Taluk.

ORDER

Petitioners have filed the instant petition U/Sec.482 of Barathiya Nagarika Suraksha Sanhitha, 2023 seeking anticipatory bail in case of their arrest in connection with Crime No.113/2026 of Jigani Police Station, for the offences punishable U/Sec. 115(2), 351(2), 118(1), 352, 351(3) r/w 3(5) of BNS and Section 3(1)(r)(s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989.



2. The learned Special Public Prosecutor has filed objections.
3. After service of notice, respondent 2 appeared before the court and submitted that he will adopt the objection to be filed by SPP.
4. Heard the arguments on both side and perused record.
5. The following Points would arise for consideration:
 1. Whether the petitioners are entitle for anticipatory bail?
 2. What order?
6. My findings on the above points are as under:
 - Point No.1: In the Affirmative,
 - Point No.2. As per final orderFor the following;

REASONS

7. **Point No.1:-** In the complaint annexed to the FIR in Crime No. 113/2026 of Jigani police station, it is stated that on 01.06.2026 at about 5.45 p.m, when the complainant and his friend Sidda were standing near



Sampakadhama layout in Harappanahalli, Madapatna village, accused No.1 Sumanth and his friend came on motorcycle by riding it in high speed. The complainant told accused No.1 and his friend to drive the motorcycle slowly. At that time, there was altercation between the complainant and accused No.1. On 02.06.2026, accused No.1 Sumanth called complainant and told him to come near Y.K. Hospital in Jigani town of Anekal Taluk. Accordingly, the complainant and his friend Manu went there. Accused 1 to 4 and other 10 to 15 persons were there. As soon as the complainant and his friend Manu went to the said place, accused No.1 Sumanth assaulted on complainant's right elbow with club. Accused 2 to 4 assaulted him with hands on face near right eye, lip and also twisted his right hand. Manu, Chandan and Hari came to rescue the complainant. At that time, accused also assaulted Manu with hands. Thereafter, accused and others abused him in filthy language, posed lifethreat and went away. Therefore, accused and 10 to 15 others



committed the offences punishable U/s. 115(2), 351(2), 118(1), 352, 351(3) r/w 3(5) of BNS and Section 3(1)(r)(s) of SC/ST (PA) Act.

8. In the case of ***Prathvi Raj Chauhan***, reported in **AIR 2020 SUPREME COURT 1036** the Hon'ble Supreme Court of India in para-10 has opined as under

“Concerning the applicability of provisions of section 438 Code of Criminal Procedure, it shall not apply to the cases under SC/ST Act of 1989. However, if the complaint does not make out a prima facie case for applicability of the provisions of the Act of 1989, the bar created by section 18 and 18A (I) shall not apply. We have clarified this aspect while deciding the review petitions”.

9. Therefore, the Court has to consider whether the recitals of the complaint would prima-facie make out a case against the petitioners for the offences punishable U/Sec.3(1)(r) & 3(1)(s) of SC/ST (PA) Act, 1989 or not.



10. A perusal of record would show that on the basis of the written complaint dated 02.06.2026, alleged to have been given by the complainant, FIR in Crime No. 113/2026 was registered against accused persons for the offences punishable U/s. 115(2), 351(2), 118(1), 352, 351(3) r/w 3(5) of BNS and Section 3(1)(r)(s) of SC/ST (PA) Act. In the complaint, the complainant has not stated any abusive words alleged to have been used by the accused to abuse him with reference to his caste. He also not stated that the accused quarreled with him and posed life threat knowing that he belongs to schedule caste. Therefore, at this stage, there is no prima facie material to show that the accused involved in commission of the offences punishable under Section 3(1)(r)(s) of SC/ST (PA) Act.
11. In the FIR, the petitioners are shown as accused No.1 and 2. They apprehending arrest, have filed the instant petition seeking anticipatory bail.



12. The learned SPP would submit that during the course of investigation, Investigation Officer has seized club used by accused No.1 to assault complainant. Wound certificate of the complainant is produced. A perusal of the same would show that complainant has sustained fracture of elbow joint. The learned SPP submitted that the complainant was discharged from the hospital. Having regard to the nature of injury, without any difficult, it can be said that there is no life risk to the complainant due to the injury alleged to have been sustained by him in the incident in question.
13. The petitioners / accused 1 and 2 aged about 18, 19 years. There is no criminal antecedents against them. In the complaint itself, the complainant has stated the name of the eye witnesses. Investigation Officer has already recorded their statement. The weapon was seized. Wound certificate was obtained. Therefore, the major portion of the investigation has completed. When such is the case, I



am of the opinion that anticipatory bail can be granted to the petitioners by imposing reasonable conditions to safeguard the apprehension raised by the prosecution In view of the above, I answer point No.1 in the Affirmative.

14. **Point No.2:** For the reasons stated above, I pass the following:

ORDER

The petition filed by the petitioners under section 482 of BNSS is allowed.

The petitioners are ordered to be released on bail in the event of their arrest in connection with Crime No.113/2026 of Jigani police station for the offences punishable U/s. 115(2), 351(2), 118(1), 352, 351(3) r/w 3(5) of BNS and Section 3(1)(r)(s) of SC/ST (PA) Act by taking bond in a sum of Rs.1,00,000/- each with a surety of like sum subject to the following conditions:



1. The petitioners shall appear before the SHO of respondent Police Station or Investigating Officer within 15 days from the date of this order.
2. They shall appear before the Investigating Officer whenever called upon to appear by giving notice in writing well in advance fixing the date and time of appearance and co-operate with the investigation.
3. They shall furnish documents relating to their and their sureties residence along with QR code of their residence and photo of their houses sufficient to easily locate in the locality and file affidavit stating in what capacity, they are residing therein.
4. They shall not change their residence without prior intimation to the Court.
5. They shall provide their contact numbers to



the Investigating Officer and shall not change the contact number without prior intimation to the Court.

6. They shall submit affidavits about their and their sureties occupations, occupational addresses with supporting documents.

(Dictated to the Stenographer, transcribed and typed by her, the same is corrected by me and then pronounced in the open Court on this the 22nd day of June, 2026).

(Mohammed Mujeer Ulla C.G.)

II Addl. Dist. & Sessions Judge,
Bengaluru Rural District.
Bengaluru.