

KACB010008922026



Presented on : 05-06-2026
Registered on : 05-06-2026
Decided on : 12-06-2026
Duration : 07 days

**IN THE COURT OF PRL. DISTRICT AND SESSIONS
JUDGE, AT : CHIKKABALLAPURA**

Dated this the 12th day of June 2026

Present

Sri. T.P.RAMALINGE GOWDA,
B.Sc., LL.M., M.B.A.
Principal District & Sessions Judge,
Chikkaballapura.

Criminal Misc. No.287/2026

PETITIONER/S:

Nagaraju @ Nagarajappa,
s/o Pillappa,
aged about 64 years,
r/at Bommenahalli village,
Nandi hobli,
Chikkaballapura taluk & District.
(Represented by Sri M.N., Advocate)

//Versus//

RESPONDENT:

State by Chikkaballapura Rural Police,
Chikkaballapura.
(Represented by Public Prosecutor)

ORDER

This petition is filed by the petitioner seeking for anticipatory
bail under Section 482 of B.N.S.S. who is the accused in crime

No.97/2026 of Chikkaballapura Rural police station, which has been registered for the offences punishable under Sections 115(2), 352, 74 of the Bharatiya Nyaya Sanhita, 2023.

2. The brief facts of the case as averred in the petition are that on 29.05.2026 at about 5.30 a.m. the complainant was tying the cattle in the open space belongs to one Narayanappa. At that time, the accused came there and abused her in filthy language stating that why she was tying the cattle in the said place. Thereafter he dragged her by holding her tuft, assaulted on her cheeks with hands. When her husband by name Prabhakar came for her rescue, at that time the accused kicked her and caused injuries to her. On the basis of the complaint of complainant the case has been registered against the accused for the offences punishable under Sections 115(2), 352, 74 of the Bharatiya Nyaya Sanhita, 2023.

3. It is further contended that the entire averments of the complaint are false. Absolutely there is no materials against the petitioner to attract the sections referred in the FIR. The petitioner is innocent of the alleged offences. The alleged offences are not punishable either with death or imprisonment for life and the same are triable by the Court of Magistrate. He is the permanent resident of the address shown in the cause title having deep roots in the society. He

is ready to offer surety and abide by the conditions that may be imposed by this court and sought for allowing the bail petition.

4. On receipt of the notice on the petition, the learned Public prosecutor has filed objections contending that petition is not maintainable and liable to be dismissed. The investigation is still under progress and the materials collected so far prima-facie discloses the involvement of the petitioner in the alleged crime. He is financially and politically influential and if the petitioner is enlarged on bail, then there is every likelihood of his abscondance. He may threaten the witnesses and there is likelihood of destroying the evidence and sought for dismissing the petition.

5. Heard the arguments and perused the materials available on record.

6. The following points arise for my consideration:

1. Whether the petitioner is entitled for anticipatory bail under Section 482 of B.N.S.S. ?
2. What order?

7. My finding to the above points are as follows;

Point No. 1: ***In the Affirmative,***

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

REASONS

8. **Point No. 1:-** Sri M.N., learned counsel for the petitioners has vehemently argued that the entire averments of the complaint are false. Absolutely there is no materials against the petitioner to attract the sections referred in the FIR. The petitioner is innocent of the alleged offences. The alleged offences are not punishable either with death or imprisonment for life and the same are triable by the Court of Magistrate. He is the permanent resident of the address shown in the cause title having deep roots in the society. He is ready to offer surety and abide by the conditions that may be imposed by this court. Hence, prayed to allow the petition.

9. On the contrary, learned Public Prosecutor has vehemently argued that the petitioner is not innocent and the investigation is pending. He is politically and financially influential. If he is released on bail there are chances of remaining in abscondance. Therefore, he is not entitled for the discretionary relief of bail and prays to dismiss the petition.

10. Considering the rival arguments canvassed by both sides counsels, I have meticulously examined the materials available on record. Wherein the prosecution has alleged that on 29.05.2026 at about 5.30 a.m. the complainant was tying the cattle in the open space

belongs to one Narayanappa. At that time, the accused came there and abused her in filthy language stating that why she was tying the cattle in the said place. Thereafter he dragged her by holding her tuft, assaulted on her cheeks with hands. When her husband by name Prabhakar came for her rescue, at that time the accused kicked her and caused injuries to her. On the basis of the complaint of complainant the case has been registered against the accused for the offences punishable under Sections 115(2), 352, 74 of the Bharatiya Nyaya Sanhita, 2023.

11. On perusal of the entire materials on record prima-facie it appears that the petitioner has abused the complainant in filthy language and assaulted her. But at this stage, the prosecution has not placed any documents to show the gravity of injuries sustained by the injured. Moreover, the alleged offences are not punishable either with death or imprisonment for life and the same are triable by the Court of Magistrate. Therefore, the petitioner is entitled for the discretionary relief of anticipatory bail. The apprehension of the prosecution can be ensured by imposing stringent conditions. **Accordingly, I answer point No.1 in the affirmative.**

12. **Point No. 2:** In view of my findings on point No. 1, I proceed to pass the following;

ORDER

The petition filed by the petitioner under Section 482 of the Bharatiya Nagarik Suraksha Sanhita-2023, is allowed with following conditions:-

1. In case of arrest of petitioner he shall be released on bail on execution of bail bond for a sum of Rs.1,00,000/- along with one surety for like sum.
2. The petitioner shall mark his attendance before the concerned police on 1st and 15th of every calendar month.
3. Petitioner is directed to appear before the I.O. and co-operate for investigation within 20 days from the date of order.
4. The petitioner shall not tamper the prosecution evidence and shall not threaten the witnesses of the prosecution.
5. The petitioner shall appear before the jurisdictional court on all hearing dates unless he is exempted.
6. The petitioner shall not involve in any kind of offences.
7. The petitioner shall appear before the jurisdictional Magistrate within 30 days and offer surety along with his residential proof.

If the petitioner violates any of the above conditions, then the prosecution is at liberty to get cancel the bail order as per the procedure established under law.

(Dictated to the STENOGRAPHER GRADE-I directly on computer and computerized by him script corrected on computer and then pronounced by me in the open court on this 12th day of June 2026)

(T.P.RAMALINGE GOWDA)
Prl. District and Sessions Judge,
Chikkaballapura.