

KACB010011562026



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

Dated this the 29th day of July, 2026.

PRESENT :

Sri. Kantharaju S.V. B.A. LL.B.

I Additional District & Sessions Judge,
Chikkaballapura

Crl. Misc.No.346/2026

Petitioner:

Sri. Narasimhamurthy D.N.
Son of Nyathappa,
Aged about 64 years,
Residing at #69/B,
Near Anjaneyaswamy temple,
Dwaraganahalli Village,
Gowribidanur Taluk,
Chikkaballapura District

**(Rep. by Sri. H.R. Vishwanath,
Advocate)**

v/s

Respondent:

The State

Rep. by Gowribidanur Rural Police
Station, Chikkaballapura District.

**[By learned Public Prosecutor
Chikkaballapura]**

ORDER

This petition is filed under Section 483 of Bharathiya Nagarika Suraksha Sanhitha, 2023 on behalf of the petitioner/accused for grant of anticipatory bail in Crime No.185/2026 of Gowribidanur Rural Police Station for the offences punishable under Sections 9, 39, 50, 51(1) of the Wild Life (Protection) Act, 1972, and Sections 3, 25(1) of the Arms (Amendment) Act, 2019, pending on the file of Additional Civil Judge and JMFC., Gowribidanur, in the interest of justice.

2. The learned Public Prosecutor representing the State has seriously opposed the application and has requested to reject it for the reasons stated in her written objection and I.O. Report.

3. Heard arguments from both sides.

4. The point for my consideration is;

"Whether the petitioner/accused has made out ground for grant of the bail as sought?"

5. The above point is answered in the **Affirmative** for the following;

:REASONS:

6. I have perused the records. On the strength of the complaint lodged by Hareesh Kumar D. Police Sub Inspector of Gowribidanur Rural Police Station, dated 31.05.2026 at about 8.45 p.m. alleging that, as per the instructions of the Superintendent of Police to register a case against the betting in connection with the IPL final tournament, on the said evening, he along with police staff Naveen Kumar, Police Constable-175, Lingaraju, CPC-552, Basavaraju, Police Constable-423, Chandrappa Yaligar, Police Constable-308, Ambarish Lambani, Police Constable, 398 went with Government Jeep bearing Registration No.KA-40 G-5678 for patrolling duty. While patrolling in the areas of Veerlagollahalli, Mittinahalli, Kurubarahalli villages at about 4-30 pm, while coming towards Chigatagere village, he has received a credible information from informant that unknown persons were hunting wild animals in the government lake of Chigatagere village. Immediately, when they were going on the road on the bank of the government lake, a Tata ACE vehicle bearing Registration number AP-39 TK-3418 was coming from the opposite direction. The said vehicle was stopped by him and his staff and checked it. In the vehicle a wild boar was dead and had been shot. One of the persons who was in the back of the vehicle had a rifle in his hand. When asked

about the wild Pig and the rifle, he said that at around 3:30 pm today, they all hunted a wild boar for meat in the government lake of Chigatagere village with the said rifle, and Accused No.2 Narasimhamurthy shot it. He said that they were taking the killed Pig in a Tata Ace vehicle to share it. Then, when asked about the name and address of the driver of the said vehicle, he said accused No.1 Boya Shekhar came to know that the accused No.2 was having a Countrymade gun, and accused No.3 Krishnappa and accused No.4 to 7 Ramesh, Suresh, Jogi Arjun and Siddappa were also alongwith there. Then he has informed the information to his Superiors and the investigation assistants Head Constable 184 Ansar Bhasha and Head Constable-192 Shivakumar were called to the spot and SOCO officers and Gauribidanur Taluk Veterinary Officers were came for Panchanama. During the said panchanama, the SOCO officers seized the gun and the materials used for the commission of alleged crime, and then the Veterinary officers sent the wild Pig for post-mortem examination and seized the sample from the wild Pig for FSL examination. The gun and seized items were seized. Thereafter he came to the police station along with accused persons and lodged the complaint. On the basis of the said allegations, the present case has been registered

by the concerned Gowribidanur Rural Police Station for the aforesaid offences against the accused persons.

7. The learned counsel for the accused/petitioner contended that, the entire complaint averments are false and untenable. The petitioner is innocent of the offences alleged and he has not been involved any of the offences. The name of the petitioner is not mentioned in the FIR or complaint. The petitioner has been License holder of Countrymade gun for the protection of his family and the crops grown in his land, said Countrymade gun is in the custody of Police, hence, his name has been inserted and the respondent police have visited his house for enquiry. The petitioner has not hunted the Wild pig and not transported it and there is no such act done by the petitioner the respondent police have inserted his name in the complaint. The respondent police have registered the case for the purpose of statistics and are trying to arrest the petitioner, as such the petitioner got reasonable apprehension that he will be arrested, so moving bail petition. The petitioner is a law abiding citizen and has deep roots in the society, and he has no bad antecedents. The petitioner has wife, children and old aged parents who are dependent on the petitioner and he is the only bread earner in his family. The petitioner is ready to abide by any conditions that may be imposed by this Court and will not

tamper any of the prosecution witnesses in any manner. Hence, prays to allow the bail petition.

8. On the contrary the learned Public Prosecutor has filed objections and seriously opposing the bail petition on the grounds that, the bail petition filed by the petitioners are contrary to law and facts, liable to be dismissed. Further the learned Public Prosecutor has reiterated the complaint averments. Thereafter the Investigating Officer has apprehended the accused persons and enquired them and recovered the Swab from the clothes and hands of accused No.2 in the presence of panchas. From the collected materials, there is a prima-facie case made out against the petitioner. Further, in this case, the seized Firearm and the materials used in the crime have to be submitted to the FSL and a report has to be obtained. The place from where the firearm was brought and the materials used to fire the firearm have to be found. Whether there is a firearm license? Or not. Whether the accused has been involved in any other cases are to be verified. The owner of the vehicle RC used for the crime has to be found and checked. The investigation is still under progress and the witnesses have to be questioned and statements yet to be recorded. If the accused-petitioner is released on anticipatory bail, there is a possibility of him hunting wild animals repeatedly.

Significant evidence has to be collected in relation to the prosecution case. If he is released on anticipatory bail, there is a possibility of intimidating witnesses or making them hostile witnesses and destroying important evidence for the prosecution and there is a possibility of hiding and not appearing in court and disrupting the proceedings of the court. The accused has been found to be habitual hunters of wild animals for the purpose of hunting. The hunted animals are covered by Schedule-11 Part-A of the Wildlife (Protection) Amendment Act-2021 and are not allowed to hunt in notified forest areas. The investigation is in progress and accused may be required of the investigation. If the accused is released on bail he may tamper the prosecution witnesses. If the accused is released on bail he may absconded and commit further offences. Hence, it is requested to reject the petition.

9. The contentions of either side is placed on record. I have carefully perused the allegations made against the petitioners in the complaint, FIR, the statement of objection filed by the prosecution, and the contentions raised by the petitioner in this petition. Further, the alleged offences are non bailable in nature. The offences invoked are non-bailable and are exclusively triable by this court. The name of the petitioner is not found in the FIR. Though the FIR registered on 31.05.2026 the investigating Officer has not arrested the petitioner. Further, as seen from

the objections filed by the learned Public Prosecutor no criminal antecedents of the petitioner is forthcoming. Admittedly, the investigation officer has been collected the Swab from the hands and cloth of accused No.2 in the presence of panchas. The investigating Officer has already been seized the countrymade gun and Tata ACE vehicle, which used for the commission of the alleged offences from the accused No.2. However, the allegations made against the petitioner is that the he is the license holder of the Countrymade gun, same is required to be proved through full fledged trial. This Court has already granted bail to the accused No.1, 3 to 7 in Crl.Misc.No.283/2026 and Crl.Misc.No.284/2026 dated 17.06.2026 respectively. On the other hand, the petitioner has undertaken to abide by the conditions imposed by this Court. In view of the factual circumstances, I am of the opinion that the grant of conditional bail as sought for would safeguard the interest of the prosecution. Hence, I hold that this is a fit case for grant of the anticipatory Bail to the petitioner. In the result, I pass the following :

: ORDER :

The anticipatory bail petition under Section 482 of Bharathiya Nagarika Suraksha Sanhitha, 2023, 2023 filed on behalf of the petitioner/accused is hereby **allowed** as prayed for.

The Investigating Officer is hereby directed to release the petitioner in the event of his arrest, in connection with Crime No.185/2026 of Gowribidanur Rural Police Station for the offences punishable under Sections 9, 39, 50, 51(1) of the Wild Life (Protection) Act, 1972, and Sections 3, 25(1) of the Arms (Amendment) Act, 2019, pending on the file of Additional Civil Judge and JMFC., Gowribidanur, on executing his personal bond for a sum of Rs.50,000/- with one surety for the likesum.

This order is subject to the following conditions:

1. He shall appear before the Investigation Officer and furnish surety within 15 days.
2. He shall not repeat the same and involve in any kind of offences.
3. He shall mark his attendance before the Investigation officer on 1st and 15th of day of every month between 10.00 a.m. till 5.00 p.m. till completion of investigation.
4. He shall not directly or indirectly threaten or destroy the prosecution witnesses.
5. He shall co-operate with the investigation officer as and when required

In the event if he violated any of the conditions, prosecution would be at liberty to seek the cancellation of the bail.

(Dictated to the Stenographer directly on computer, typed by him, corrected by me, signed and then pronounced by me in the open court, on this the **29th day of July, 2026.**)

(Kantharaju S.V.)

I Additional District & Sessions Judge,
Chikkaballapura.