

KACB320001812026



**IN THE COURT OF THE II ADDITIONAL DISTRICT
& SESSIONS JUDGE, CHIKKABALLAPURA,
SITTING AT CHINTAMANI**

Dated this the 17th day of April, 2026.

PRESENT :

Sri. Kantharaju S.V. B.A. LL.B.
II Additional District & Sessions Judge
Chikkaballapura, Sitting at Chintamani

Crl. Misc.No.76/2026

Petitioner:

T.A.Lokesh
Son of T.H.Anjinappa,
Aged about 51 years
Residing at Tharbahalli Village,
Hoskote Taluk,
Bangalore Rural District.

(Rep. by Sri. S.Eshwar Gowda
Advocate)

V/s

Respondent:

The State
Rep. by Chintamani Rural Police
Station, Chikkaballapura District

(Rep. by Learned Public Prosecutor,
Chintamani)

(Signature)
17/4/2026

:ORDERS:

This petition is filed under Section 482 of Bharathiya Nagarika Suraksha Sanhitha, 2023 on behalf of the petitioner for grant of anticipatory bail in the event of his arrest in connection with Crime No.61/2026 of Chintamani Rural Police Station for the offences punishable under Sections 406 and 420 of the Indian Penal Code, pending on the file of Addl. Civil Judge and JMFC., Chintamani, 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 Narayanaswamy son of Nanjappa

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dated 17.02.2026 at 7.00 PM alleging that, they have 5 children and their native place is Maliyappanahalli village, Kolar taluk, and he is a resident of Hosur village, Chintamani taluk. About 14 years ago, he married Chitra, daughter of Narayanaswamy, and since then he has been living in her mother's and his wife's place, Chintamani taluk, Hosur village. In the said village, there is a ancestral property of 1.29 gunta of land bearing Survey No. 33 and they have divided the said land into 6 parts including their mother. In the year 2024, their lands acquired by the K.I.A.D.B. and equal amount of Rs.33,13,437/- allotted to them. When he was looking at the lands to buy somewhere else with the said money, Lokesh the petitioner herein whom he knows, was buying and selling the lands from several people, so he should take the land from them, if there is any land, give it to him, to which the accused said that he has 0.10 guntas of land near Hirepalya and he will give it to him, to which he also agreed. After that, the petitioner said that he urgently need of Rs. 26 lakhs and said that he will return the money. Then he paid the money to their mother Gowramma's at Chintamani Branch on the account of Ujivan on 24/04/2024 of Rs.15,00,000/-. The remaining Rs. 11 lakh was given two or three times by way of cash. A few days later, the accused showed him the land of Sowbhagyamma of Hirepalya and he accepted it and then he and the accused bought 0.30 gunta land in Survey

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No.55/5 of Hirepalya village for Rs.8,50,000/- and he made a transaction from Sowbbhagamma and her children through General Power of Attorney on 17/05/2024. The petitioner and one Muniraju were the witnesses on that transacation. After that, he requested the accused several times to gave him the money, but he did not gave the money. In that regard, he lodged a complaint to the police, thereafter the police called the accused/petitioner and recorded his statement and agreed that he has received of Rs.17,50,000/- and he will repay the same on 30.07.2024. But till day he has not repaid the same, however he has threatened that whatever do it. On the basis of the said allegations, the present case has been registered by the concerned Chintamani Rural Police Station for the aforesaid offences.

7. The learned counsel for the petitioner contended that, he is falsely implicated in this crime though he has not committed any offence as alleged by the complainant just to harass the petitioner and also to get wrongful gain. The petitioner is innocent of the alleged offences and that he has been falsely implicated in the present case. The alleged offences are non bailable in nature but not punishable with death or imprisonment for life. It is exclusively triable by this court. The petitioner is the bread earner of the family and he is having wife & old aged

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parents. He hails from respectable family. Now he under take offer valid surety for his release on his anticipatory bail in the event of his application is allowed. He is the respectable persons in the locality having good name having no any bad antecedents. There is no prima facie case against the petitioner/Accused with respect to said crime and the offences alleged against him. The entire complainant story is false, concocted by the complainant with an ulterior motive to harass and humiliate the petitioner. Based on this false & frivolous complainant the respondent police are seriously trying to arrest the petitioner and wearing handcuffs. The respondent police oftenly visit the petitioner's village and canvassing that they are going to parade the petitioner. Hence this petitioner is established the apprehension of his arrest by the respondent police. Hence without alternative he has knocking the doors of this court to protect himself from the respondent police. Hence, he prayed 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 petitioner is contrary to law and facts, liable to be dismissed. Further the learned Public Prosecutor has reiterated the complaint averments. Further, the investigation officer has visited the

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spot and conducted spot mahazar in the presence of Panchas. The investigation in this case is not yet completed, but the investigation is in progress. Several witnesses are yet to be interrogated and statements of witnesses are yet to be recorded and several documents are yet to be collected. The accused petitioner has committed a serious crime under the above offences, for which a rigorous punishment of up to 07 years and also fine and the said offences are non-bailable offences, therefore the accused petitioner is not eligible for anticipatory bail. If this stage, the petitioner is granted with anticipatory bail, he may threaten the prosecution witnesses and he may destroy the prosecution evidence or they may commit the similar kind of offences and the possibility of petitioners fleeing away from justice cannot be ruled out. Further, it is contended that there are no valid grounds to grant anticipatory bail to the petitioner. There are sufficient material on record to presume that the petitioner has committed the offences alleged against him. 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 petitioner in the FIR, the statement of objection filed by the prosecution, and the contentions raised by the petitioner in this petition. Further, the alleged offences are

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not punishable with death or imprisonment for life. Though the alleged FIR was registered on 17.02.2026 since then the investigating officer have not arrested the accused/petitioner. Admittedly, the investigation is not yet completed and it is in progress. As seen from the objection filed by the learned Public Prosecutor no criminal antecedents forthcoming against the petitioner. Further, as the document produced by the learned counsel for the petitioner, the petitioner given a statement before the police stating that the alleged amount of Rs.15,00,000/- given to him for the purchase of Tempo Eratiga Car and Motorcycle and in connection with the amount exchanged to General Power of Attorney of Erepalya land and also in the presence of elders the matter was mediated and Rs.5,00,000/- settlement amount has been paid to the mother of the complainant. Hence, the allegations made against the petitioner by the complainant are required to be proved through full fledged trial. The alleged offences are exclusively triable by Court of Magistrate. On the other hand, the petitioner has undertaken to abide by the conditions imposed by this Court. Under the said circumstances, apprehending the arrest by the police is quite natural and reasonable. Hence this Court is of the considered view that, the interest of petitioner and prosecution can be balanced by imposing stringent conditions. Accordingly, I proceed to pass the following:

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ORDER

The bail petition under Section 482 of BNSS, 2023 filed by the petitioner/accused, is hereby **allowed** as prayed for.

The Investigating Officer in Crime No.61/2026 of Chintamani Rural Police Station, is hereby directed to release petitioner in the event of his arrest pending on the file of Additional Civil Judge and JMFC., Chintamani on executing his personal bond for a sum of Rs.50,000/- with one surety for the like sum.

This order is subject to the following conditions:

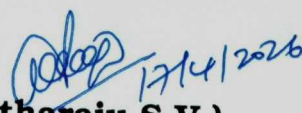
1. He shall appear before the Investigation Officer and furnish surety within 15 days.
2. He shall not repeat the same and involve in any kind of offences.
3. He shall mark his attendance before the Investigation officer on 1st and 15th of day of every month between 10.00 a.m. till 5.00 p.m. till completion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


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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 and then pronounced by me in the Open Court, this the **17th day of April 2026**)


(Kantharaju S.V.)

II Additional District & Sessions Judge
Chikkaballapura, Sitting at Chintamani