



Presented on : 06-03-2026

Registered on : 06-03-2026

Decided on : 18-03-2026

Duration : 12 days

**IN THE COURT OF THE PRL. DISTRICT & SESSIONS
JUDGE, AT: CHITRADURGA**

Present: **Sri Ron Vasudev, B.Com,LL.B.(Spl)**
*Prl. District & Sessions Judge,
Chitradurga*

Dated this the 18th day of March, 2026

Crl.Misc.253/2026

Petitioners:	1.	Marulasiddappa G.V S/o Virupakshappa, Aged about 72 years, Occ: Agriculturist,
	2.	E.Savitha W/o Marulasiddappa, Aged about 42 years,
	3.	K.M.Basavarajappa S/o Kallappa, Aged about 62 years, R/o Kattigehalli, Chitradurga Taluk.
	4.	Mallikarjuna S/o Danappa, Aged about 42 years, R/o Nallikatte village, Chitradurga Taluk.
	5.	Nagaraja S/o Shivalingappa, Aged about 25 years, Petitioner No.1, 2 and 5 are R/o Kalgere village, Chitradurga Taluk.
		(By Sri.Y.Thippeswamy, Advocate)

/versus/

Respondent:	State by Bharamasagara Police (By the Public Prosecutor, Chitradurga)
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ORDER

Accused No.1 to 5 in Bharamasagara police station Cr.No.68/2026 have filed this petition U/S.482 of BNSS seeking anticipatory bail in respect of offences U/Ss.115(2), 118(1), 351(1), 352, 74 R/w Sec.190 of BNS. It is contested by learned Public Prosecutor by filing his objections in writing.

2. The gist of the complaint filed by one Smt. Anusuyamma W/o Umapathi resident of Kalgere village is that on 19.02.2026 at about 09.00 am when she was proceeding in front of Beerlingeshwara temple in their village, these accused No.1 to 5 being members of unlawful assembly in prosecution of common object of such assembly, came there and obstructing her from proceeding further, on the reason that why she has not received the court notice, they abused her in vulgar language and by pulling her hairs and saree in the public place they outraged her modesty. It is also alleged that the accused bet her with brick pieces on her chest and other parts of the body. Whereas the accused No.5 who joined the accused No.1 to 4 instigated the other accused to finish her. Immediately the neighbors came and rescued the victim from the hands of these accused. Thus regarding the said incident she filed complaint in the Bharamasagara police station and the said police are investigating in the matter.

3. In the petition accused No.1 to 5 submit that they have not committed any offence as alleged against

them; that they are permanent residents of the address shown in the cause title; that none of the offence alleged is punishable with death or life imprisonment; that they do not have any criminal antecedent; that unnecessarily they have been involved in the case in hand in order to trouble them; that on the basis of such false case the concerned police are trying to arrest, detain and humiliate them; that they are prepared to obey the conditions to be imposed herein and also that they will not tamper prosecution evidence nor threaten prosecution witnesses and they would furnish surety for their due appearance etc, they pray to release them on bail.

4. On the other hand prosecution contends that after registration of the complaint the IO has visited the place of occurrence, prepared the mahazar of the scene of occurrence and has recorded the statements of witnesses and all that evidence collected by him so far, prima facie show the involvement of these accused in the offences alleged; that they are influential and powerful in the locality; that they may threaten its witnesses and tamper its evidence; that they may abscond from the jurisdiction of the court and from the date of incident they are not available for enquiry or investigation and they may again create a similar such lawlessness in the society, it prays to reject their petition.

5. In view of these rival claims, now the following points would arise for my consideration:

1. *Whether accused No.1 to 5 have shown that they are entitled for anticipatory bail as prayed for?*

2. *What Order?*

6. I have heard the arguments of Sri.BPK advocate for accused No.1 to 5 and learned PP for the State. Perused the file. On careful reading of the entire file, my findings on the above points are as under:-

Point No.1 – In the affirmative,

Point No.2- As per below for the following:

REASONS

7. **Point No.1:-** On going through the case file it is noticed that except the allegation that the accused manhandled, threatened and abused the victim, there is no further allegation of using of any deadly weapon so as to put her life in danger. At any rate the offences alleged are not punishable with death or life imprisonment and their involvement in any other crime is not shown. Apart from that by producing photocopies of their Aadhar cards, these accused have shown that they are permanent residents of the address shown in the cause title of the petition and in addition to that the very complaint allegations would show that they are also residents of Kalgere village.

8. Further by producing photocopy of the complaint filed by accused No.1 in Bharamsagara PS Cr.No.67/2026, these accused have shown that accused No.1 has filed complaint against the family members of the said Anasuyamma regarding an incident, which said to have occurred on the very same day at 09.00 a.m. near

Anjaneyaswamy temple at Kalgere. So on going through the successive FIRs of very same police station, there appears some substance in the submission of the accused that in order to overcome the complaint filed by accused No.1, Anusuyamma might have filed this complaint at the instigation of her family members.

9. The fact that two cases have been registered by the very same police also indicate the occurrence of the incident as alleged by both side. However at this stage, one cannot say who was the aggressor and who was defending himself or themselves. In order to ascertain the same, one has to wait till the trial is concluded.

10. Considering the undertakings of the accused that they would furnish surety for their due appearance and also that they would assist in the investigation and they will not tamper prosecution evidence nor threaten prosecution witnesses, I am of the sincere opinion that instead of curtailing their liberty by rejecting this petition and thereby giving a chance to the IO to take them into custody, it is just and necessary to admit them to bail, but with conditions so that interest of the prosecution is also protected while taking care of the individual liberty of these accused. With this I answer this point in the affirmative.

11. **Point No.2:-** In the result I proceed to make the following:

ORDER

Petition filed U/Sec.482 of BNSS in respect of Bharamasagara Police Station Cr.No.68/2026 registered for

the offences punishable U/Sec.115(2), 118(1), 351(1), 352, 74 R/w Sec.190 of BNS is allowed on their executing personal bond in a sum of Rs.50,000/- each with one surety for like sum to the satisfaction of arresting authority or to the jurisdictional court and subject to following conditions:

1. The accused shall furnish their mobile and WhatsApp numbers, email IDs (if any) and photocopies of Aadhaar cards of themselves and their surety, along with contact numbers of their sureties, as per Circular at HCC No.48/2012 dated 30.06.2025 of Hon'ble High Court of Karnataka.
2. The accused shall cooperate with the IO in investigation and shall appear before him as and when directed.
3. The accused shall appear before the jurisdictional Court and before the jurisdictional police station within thirty days from the date of this order without extending any lame excuse.
4. The accused shall not tamper prosecution evidence nor threaten the prosecution witnesses.
5. The accused shall not indulge in any unlawful act or crime hereinafter.

(Dictated directly on AI software, transmitted to the Stenographer Grade-III, computerized by her, corrected and signed by me and then pronounced in the open Court on this the 18th day of March, 2026)

(Ron Vasudev)
Prl. District & Sessions Judge,
Chitradurga.

SG

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