

KACD010012492026



Presented on : 18-03-2026
Registered on : 18-03-2026
Decided on : 02-04-2026
Duration : 15 days

**IN THE COURT OF SPECIAL, 2ND ADDL. DISTRICT AND
SESSIONS JUDGE, CHITRADURGA.**

PRESENT:- SRI. Gangadhar Channabasappa Hadapad
B.Com., LLB(Spl)
Spl, 2nd Addl. Dist & Sessions Judge
Chitradurga

DATED THIS 2nd DAY OF APRIL 2026

Criminal Miscellaneous. No.304/2026

PETITIONER /S :

1. Manikanta N s/o Narayanaswamy R,
aged about 35 years, Paint artist,
 2. Swetha M w/o Manikanta N, aged about
33 years, House wife,
- Both are R/o Stadium Road, 1st cross,
Buddanagara, Chitradurga town.

(By Smt. Savithramma K.S, Advocate.)

Vs-

RESPONDENT/S :

State by Town police, Chitradurga

(By Spl. Public Prosecutor, Chitradurga)

**ORDER ON BAIL PETITION UNDER SECTION 482
OF BNSS 2023**

This petition is filed by the petitioners/accused under Section 482 of BNSS for seeking to enlarge them on anticipatory bail in Chitradurga Town Cr.No.41/2026 for the offences punishable under Section 115(2), 351(2), 352, 74 read with Section 3(5) of BNS for the reasons stated therein.

2. The learned Public Prosecutor has filed objections and prays to dismiss the petition for the reasons stated therein.

3. Heard the arguments of learned counsel for petitioners and learned Spl. Public Prosecutor. Perused the records.

4. The following points would arise for my consideration:

1. Whether the petitioners/accused have made out reasonable grounds for grant of bail as sought for?

2. What order?

5. My finding on the above points are as under:

Point No.1 : In the Affirmative

Point No.2 : As per final order for

the following:

R E A S O N S

6. **POINT No.1:-** Complaint discloses that she is the resident of Stadium Road, Buddanagara-Chitradurga. She is residing along with her mother. On 15.03.2026 at 08.00 a.m. she was in her mother's house. At that time accused Nos.1 and 2 came there and abused her mother in filthy languages and accused No.1 by holding chopper came there saying that he will break the leg of her mother and he will kill her mother and abused her in filthy languages and accused No.1 dragged her dress outraged her modesty and also assaulted on her and at that time accused No.2 abused her in filthy language and instigated the accused No.1 to kill her mother and at that time one Siddamma and Parvathamma pacified the quarrel. Accused threatened to their life. Hence, police registered the case against the accused for the above-said offences.

7. Advocate for the petitioners have argued that petitioners are innocent and they have not committed any offences as alleged by the complainant. They are permanent resident as shown in the petition. They have got deep roots in the society. They are peace loving and law abiding citizens. Petitioner No. 2 has

filed complaint against the complainant and another in Chitradurga town PS and it was registered in Crime No. 40/2026. There is apprehension that they may be arrested by the respondent police for the above said offences. They undertakes to abide by the conditions imposed by this court and ready to furnish surety to the satisfaction of the court. Hence prays to release them on anticipatory bail.

8. Learned Public Prosecutor has argued that there are sufficient material against the accused for committing the alleged offences. Investigation is not yet completed. If accused are released on bail, they may threaten the prosecution witnesses and may abscond from the jurisdiction of the court. Hence prays to reject the bail petition.

9. Section 74 of BNS is non-bailable. but not punishable with death or imprisonment for life. Other offences are bailable in nature. The registration of the complaint shows the apprehension of the petitioners that they may be arrested by the respondent police for the above-said offences. The petitioners have furnished the copy of the FIR in Crime No.40/2026 which discloses that present petitioner No.2 has filed complaint against the complainant and other persons. Hence it clearly discloses that there is a case and

counter case between the complainant and accused persons. Who is the aggressor has to be decided at the time of the trial. The apprehension raised by the learned Public Prosecutor that accused may tamper the prosecution witnesses and may abscond from the jurisdiction of the court can be met out by imposing stringent conditions. It is settled principle of law that bail is a rule and jail is exception. Petitioners have furnished the copies of the Aadhar card to show their residential address and it is not disputed by the prosecution. Hence, this court is of the view that the petitioners have made out reasonable ground to grant of anticipatory bail. Hence, I answer Point No.1 in the affirmative.

Point No.2 :

10. For the forgoing reasons and discussions, I proceed to pass the following:

O R D E R

Petition filed by the accused/petitioners under Section 482 of BNSS 2023 is hereby allowed.

The respondent Police are directed to release the petitioners in the event of their arrest in Cr.No.41/2026 of Chitradurga Town Police registered for the offences

punishable under Section 115(2), 351(2), 352, 74 read with Section 3(5) of BNS, on executing personal bond for Rs.50,000/- each with one surety for likesum subject to following conditions;

- (1) The petitioners shall mark their attendance before the concerned IO on every alternative Sunday between 9.00 am to 5.00 pm for 60 days or till filing of the final report whichever is earlier.
- (2) The petitioners shall not tamper the prosecution witnesses and shall not make any efforts to destroy the evidence to be collected by the prosecution.
- (3) The petitioners and their sureties shall furnish their sufficient address proof before the I.O/concerned court.
- (4) The petitioners shall surrender before the respondent police within 30 days.
- (5) In case of violation of bail conditions, the respondent/police can seek cancellation of bail.

(Dictated to the Stenographer, thereof transcribed and computerized by her, corrected, signed and then pronounced by me in the open court on this the 2nd day of April 2026)

(Gangadhar Channabasappa Hadapad)
Spl. 2nd Addl. Dist & Sessions Judge
Chitradurga.