

KACD010017692026



Presented on : 04-05-2026

Registered on : 05-05-2026

Decided on : 01-06-2026

Duration : 27 days

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

PRESENT:- SRI. Gangadhar Channabasappa Hadapad

Spl, 2nd Addl. Dist & Sessions Judge
Chitradurga

B.Com., LLB(Spl)

DATED THIS 1st DAY OF JUNE 2026

Criminal Miscellaneous. No.472/2026

PETITIONER /S :

1. Ramamurthy s/o S. Hanumanthappa,
aged about 65 years, r/o Sri. Venkatesha
Nilaya, Fort road, Kamana Bavi Badavane,
Chitradurga Town, Chitradurga.

2. Chethana w/o Gundlappa, aged about
45 years, r/o 5th ward, Babbur road,
Siddanayaka Circle, Hiriyur Town, Hiriyur
taluk.

3. Balaji s/o Venkatesha S, aged about 25
years, R/o Pooja Nayaka Building, Talavara

Beedi, Siddanayaka Circle, Hiriya town.

4. Lalithamma w/o S. Ravi, aged about 36 years, r/o near water tank, Vedavathi Nagara, 4th ward, Hiriya Town.

(By Sri. Somashekhara J.S, Advocate.)

Vs-

RESPONDENT/S :

State by Town police, Hiriya

(By Spl. Public Prosecutor, Chitradurga)

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

This petition is filed by the petitioners/accused Nos.1 to 4 under Section 482 of BNSS for seeking to enlarge them on anticipatory bail in Hiriya Town P.S Cr.No.107/2026 for the offences punishable under Section 189(2), 191(2), 352,115(2), 118(1), 133, 351(2) read with Section 190 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 Nos.1 to 4 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:-** The complaint discloses that complainant is resident of Siddhanayaka circle, Hiriya town. Since 30 years he has put up pig shelter near graveyard. Recently, accused Nos.2 and 3 told that the said land belongs to them and asked him to remove the pig shelter. But he told that he has put up the pig shelter in the government land. In this regard, Panchayath was held on several time. On 13.04.2026 at 01.00 p.m., accused No.3 called him by phone and told that Government Surveyor has come and asked him to come there. Then he went there. At that time, accused No. 1 to 4 formed themselves into an unlawful assembly and abused him in filthy languages and

asked him to remove the pig shelter and abused him and accused No.1 by picking the stick assaulted on his back and accused No. 3 assaulted on his hands and legs. When his elder sister -Lakshmamma came there, accused No.3 assaulted on her face by slipper. When Shruthi came there to pacify the quarrel, accused No.3 slapped on her left cheek. Then one Rangappa and Bhagyamma pacified the quarrel. Accused while going threatened to their life. Police registered the case against the accused for the above said offences.

7. Advocate for petitioners have argued that petitioner No. 2 has filed counter case against the complainant and it is registered in Crime No.108/2026 before the Hiriur town police. There is apprehension that respondent police may arrest the petitioner for the above said offences. He has argued that petitioners are the permanent resident of Hiriur town as shown in the petition. They undertakes to abide by the conditions imposed by the court and ready to furnish surety to the satisfaction of the court. Hence, prays to release the petitioners on bail.

8. The learned Public Prosecutor has filed argued that there are prima facie material against the accused for committing the alleged offences. The offences under

Section 118(1) of BNS is non-bailable, but not punishable with death or imprisonment for life. The other offences are bailable in nature. Whether accused has committed the alleged offences or not requires a detailed trial and investigation. The learned Public Prosecutor has not furnished any documents to show that the complainant has sustained injury, which is fatal in nature. Objection filed by the learned P. P. discloses that police visited the spot and conducted the mahazar and seized the articles. Custodial interrogation of the accused is not required. The apprehension raised by the learned P. P. that accused may tamper the prosecution witnesses and may abscond from the jurisdiction of the court can be met by imposing stringent conditions. Registration of the complaint shows the apprehension of the petitioners that they may be arrested by the respondent police for the aforesaid offences. Hence, this court is of the view that petitioners have made out sufficient ground to release them on anticipatory bail. Hence, I answer Point No.1 in the affirmative.

Point No.2 :

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

ORDER

Petition filed by the accused Nos.1 to 4/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.107/2026 of Hiriya Town Police registered for the offences punishable under Section 189(2), 191(2), 352, 115(2), 118(1), 133, 351(2) read with Section 190 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 Adalath ai, corrected, signed and then pronounced by me in the open court on 1st day of June 2026)

(Gangadhar Channabasappa Hadapad)

Spl. 2nd Addl. Dist & Sessions Judge
Chitradurga.