



**IN THE COURT OF THE PRINCIPAL DISTRICT AND
SESSIONS JUDGE AT CHIKKAMAGALURU**

Dated this the 7th day of March, 2026

:PRESENT:

Smt. Rajeshwari N. Hegde, B.Com., LL.M.

Pr. District & Sessions Judge,
Chikkamagaluru.

Crl. Misc. Petn. No.101/2026

Petitioner:

Karunakara Shetty,
S/o. Sundara Shetty,
Aged 64 years,
Agriculturist ,
R/o. Kagaladibba,
Simse Village,
B.H. Kaimara Post,
N.R. Pura Taluk,
Chikkamaglaur

(Represented by Sri.B.C.V.S., Adv)

-Vs-

Respondents:

1. State by N.R.Pura Police.

Rep.by Public Prosecutor, Chikkamagaluru.

2 Ramesh Shetty
S/o Babu Shetty
Aged 59 years
R/o 2nd cross
Vanajakshi Nilaya
Basavana gudi
Shivamogga

(By Sri KSSC., Advocate)

ORDER

This petition is filed under Section 482 of BNSS
praying to grant anticipatory bail in Crime No:15/2026

registered by respondent No.1 police for the offence punishable under section 108 of BNS.

2. Petitioner has contended that he is innocent of the offence alleged, not committed any offence as alleged in the complaint. The allegations made against him are all false and incorrect. He has never involved whatsoever in the alleged offence. He is apprehending arrest by the police and subjecting him to torture. He is permanent resident of the address shown in the cause title; that there is no chance of he absconding or tampering the prosecution witnesses, He is ready to offer surety for his appearance before the court on all the dates of hearing, he is ready to abide by the conditions that may be imposed by the court. Hence, prayed to grant anticipatory bail.

3. Learned Public Prosecutor has filed objections, wherein she denied the averments of petition in toto and narrated the facts of the prosecution case in detail. She further stated that in furtherance of investigation, investigating officer had visited the spot, conducted detailed mahazar and recorded statements of witnesses and the investigation is still in progress. The material placed on record prima-facie establish the allegations leveled against the petitioner. Petitioner is politically and economically influential and as such at this stage, if he is released on anticipatory bail, he may intimidate, threaten and influence the prosecution witnesses and he may flee

from investigation and hamper the same. Hence, prayed for rejection of bail petition.

4. Heard both sides and perused the record.
5. Following point do arise for my consideration:

“Whether petitioner has made out grounds to grant anticipatory bail to him ?”

6. My finding on the aforesaid point is in the negative for the following:-

REASONS

7. Brief facts of the prosecution case are that:

The complainant - Ramesh Shetty, the brother of the deceased, has lodged complaint against the accused alleging that his sister was given in marriage to one Sridhar Shetty S/O.Sundara Shetty of Menasuru village, N.R.Pura Taluk and there were frequent quarrel between said Sridhar Shetty and his brother Karunakara Shetty with regard to 1.20 acres of areca garden and though there was an injunction order in favour of his brother-in-law Sridhar Shetty, by violating the said injunction order Karunakara Shetty had harvested the areca crops and in a like manner there were several incidents occurred and his brother-in-law had

lodged complaint against said Karunakara Shetty and said Karunakara Shetty many times had abused his sister Sharada and his brother-in-law in filthy language and in this regard his sister was too much mentally depressed. It is further contended that on 4.2.2026 at about 10.00 pm his sister was found suffering from too much pain and found crying and his brother-in-law took said Sharada to N.R.Pura Hospital and after first AID she was taken to Shimogga MAX hospital and after two days, wherein she died on 8.2.2026 and the doctor informed them that said Sharada had consumed pesticides. It is further contended that due to the act of Karunakara Shetty in subjecting her to mental agony, in respect of the property dispute, she committed suicide by consuming pesticides and the petitioner herein, is responsible for the death of his sister. Hence, the complainant lodged the complaint against the petitioner before the N.R.Puran police, i.e., jurisdictional police station.

8. Learned counsel for petitioner argued that petitioner has not committed any offence as alleged in the complaint, false complaint has been filed against him. Allegations made in the complaint are not sufficient to attract the ingredients of the provisions of the section 108 of BNS.; that he has been falsely implicated. He undertakes to abide by the conditions that may be

imposed by the court and also undertakes to offer surety to the satisfaction of the court. Hence, prayed to grant anticipatory bail to the petitioner.

9. On the other hand the learned prosecutor has seriously objected the bail petition and also produced certain documents to show that there is a civil dispute between the parties and both the parties have filed case and counter case against each other in Cr.No.6/2026 and 7/2026; that in view of all these the relationship between both the families was strained and being mentally depressed by the act of the petitioner, the deceased had consumed pesticide and committed suicide, the investigation in the matter is still going on and custodial interrogation of the petitioner may require, hence, it is prayed to dismiss the petition.

10. Having regard to the submission made by the learned Counsel for the petitioner and the learned Public Prosecutor, this Court has gone through the FIR, complaint and other records.

11. On perusal of the prosecution records, it reveals that there existed a long-standing property dispute between the family of the deceased and the accused. It is alleged that being fed up with the said dispute and the alleged conduct of the accused, the deceased committed suicide.

12. At this stage it is relevant to note that the material placed before the Court primarily indicates the existence of a civil dispute regarding property. It is the specific allegation against the petitioner that the deceased committed suicide on account of continuous harassment and pressure exerted by the petitioner in connection with the property dispute between the parties. The material collected during the course of investigation, including the statement of witnesses and the circumstances preceding the incident, prima facie indicate that the deceased Sharada was subjected to persistent harassment and humiliation by the petitioner.

13. At this stage of investigation, the court is not expected to conduct a detailed appreciation of evidence. However, the record disclose prima facie material indicating the involvement of the petitioner. The allegations are serious in nature and relate to an offence resulting in the loss of human life.

14. The offence alleged is grave and the material placed before the Court discloses sufficient grounds to proceed with the investigation. In this case, the investigation is still in progress and custodial interrogation of the petitioner may be necessary for effective investigation and for ascertaining the circumstances which led the deceased to take the extreme step. Granting anticipatory bail at this stage, may hamper the

investigation and there is also a reasonable apprehension that the petitioner may influence the material witnesses.

15. In the facts and circumstances of the case and the materials available on record and having regard to the gravity of the commission of offence and the apprehension of the prosecution that the accused may threaten the prosecution witnesses, at this stage, if the petitioner is released on bail, then there may be chances of tampering with the prosecution witnesses and also that there is chances of hampering the investigation, cannot be ruled out and thereby at this stage petitioner is not entitled for granting anticipatory bail. Accordingly, I answer above point in the negative, and proceed to pass the following:

ORDER

The petition filed under Section 482 of BNSS seeking anticipatory bail in Crime No.15/2026 registered by respondent No.1 police for the offences punishable under Sections 108 of BNS is hereby rejected.

(Typed to my dictation by Stenographer Grade-III directly on the computer, corrected, signed and then pronounced by me in the open Court on this the 7th day of March, 2026)

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(RAJESHWARI N. HEGDE)
Principal District & Sessions Judge,
Chikkamagaluru.

*mvp/-