

KACM010010612026



Presented on : 04-05-2026
Registered on : 04-05-2026
Decided on : 04-06-2026
Duration : 0 years, 1 month, 0 days

**IN THE COURT OF
II ADDL. DISTRICT AND SESSIONS JUDGE
AT: CHIKKAMAGALURU**

**(PRESENT:- SRI. PRAVEEN KUMAR. R.N, B.Com, LL.B.)
II ADDL. DISTRICT AND SESSIONS JUDGE
CHIKKAMAGALURU**

DATED THIS THE 4th DAY OF JUNE, 2026

Crl.Misc./287/2026

PETITIONER/S:-

Manoj @ Kappe,
S/o Venkatesh,
Aged about 19 years,
R/o: Near Water Tank,
Gowrikaluve, Chikkamagaluru City.

**(By Smt./Sri.A.R., Advocate),
// Vs //**

RESPONDENT:-

1. State by Rural Police Station,
Chikkamagaluru.
**(By Public Prosecutor,
Chikkamagalur)**

2. Vasanth Kumar V.
S/o Venkatesha,
Aged about 22 years,
Near Water Tank,
Gowrikaluve, Chikkamagaluru City.
3. Darshan
R/at: Pillenahalli Village and Post,
Sakharayapatna Hobli,
Kadur Taluk.
4. Likith S/o Prakash,
R/at: Near Water Tank,
Gowrikaluve, Chikkamagaluru City.

: ORDER ON BAIL PETITION FILED U/S.483 OF BNSS :

This bail petition is filed by the petitioner / accused under Sec.483 of BNSS, requesting the court to enlarge the petitioner on regular bail in connection with Cr.No.181/2026 of Respondent Police station, registered for the offences under Sec.189(2), 189(4), 191(2), 191(3), 115(2), 118(1), 142, 109 r-w 190 of BNSS of 2023.

2. The grounds for bail is that the petitioner is innocent and has not committed any offence as alleged by the complainant. As per petitioner, the case is lodged against him on malafide intention and to illegal arrest him by the police and only to give mental and physical harassment to him.

3. As per petitioner, he is respectable person and deep rooted in the society and law abiding citizen. The petitioner has been arrested in

the case and is presently languishing in judicial custody. The petitioner is permanently residing at the address and having responsibilities of looking after the affairs of his family members. He is an Electrician and is the only male member of his family to look after and to maintain his dependants. If the petitioner is released on bail, he is ready to abide by any conditions that may be imposed by the court and he is ready to give sufficient surety for the satisfaction of the court. Hence, prays to allow the petition.

4. On the other hand, learned PP filed objections along with IO report contended that if the petitioner is released on bail, there is a chance for interfering the investigation of IO and also there is a chance for tampering the prosecution witnesses or danger of abscondance. Learned PP further contended that there is no sufficient reasons given by the petitioner in respect of bail. Hence, prayed for rejecting the bail petition.

5. Upon perusal of the petition, objections, FIR, and IO report, the following points arise for consideration:

1. Whether the petitioner is entitled for the relief of regular bail under Sec. 483 of BNSS?
2. What order ?

6. My answer to the above points are as follows :-

Point No.1 : In the Negative,

Point No.2 : As per final order, for the following :-

R E A S O N S**Point No.1 :-****7. Point No.1:-**

It is the case of the informant that, prior to 22.04.2026, a dispute had arisen between certain accused persons on one side and the informant along with his associates on the other. According to the informant, with an intention to avenge the said incident, one of the accused persons, namely Shobharaj, contacted the victim Darshan and requested him to come near Nalluru for the purpose of collecting a sum of Rs.5,000/-, which was allegedly due to him. Acting upon the said request, the informant, victim Darshan, and the brother of the victim proceeded to the said place on a motorcycle at about 1.00 p.m. It is alleged that, upon their arrival, the accused persons along with certain others, who had assembled unlawfully and were armed with wooden clubs, assaulted the informant, victim Darshan, and the victim's brother. It is further alleged that thereafter the accused persons forcibly took them in an auto-rickshaw to a place situated about two kilometres away from the spot and again subjected them to assault. Based on these allegations, a complaint came to be lodged before the respondent

police and, during the course of investigation, the present petitioner came to be arrested.

8. During the course of arguments, the learned counsel appearing for the petitioner vehemently contended that the petitioner has been falsely implicated in the present case and that his arrest is without any valid basis. It was submitted that the petitioner has been in judicial custody ever since his arrest. The learned counsel further argued that the petitioner is only 19 years old and is pursuing his studies and that his continued detention would seriously jeopardize his educational prospects and future career. The learned counsel also submitted that substantial investigation has already been completed, the necessary recoveries have been effected, and no further custodial interrogation of the petitioner is sought by the Investigating Officer. It was further argued that the petitioner belongs to a respectable family, has roots in society, and there is no possibility of his absconding. The petitioner is also willing to comply with any conditions imposed by this Court and is ready to furnish adequate sureties for securing his presence during the trial. On these grounds, the learned counsel sought grant of regular bail.

9. Per contra, the learned Public Prosecutor strongly opposed the petition. She submitted that grave and serious allegations have been levelled against the petitioner and the other accused persons and that the materials collected during the course of investigation disclose a prima facie case against them for offences including an attempt on the life of the victims. The learned Public Prosecutor further contended that the mere fact that the petitioner has remained in custody for a certain period cannot be a valid ground for grant of bail, especially when one of the victims, namely Darshan, continues to be in a critical condition. Reliance was also placed on the photographs of the injured victim, which, according to the prosecution, reveal the seriousness of the injuries sustained by him. It was further argued that, if the petitioner is enlarged on bail at this stage, there is a likelihood of his evading the process of law and thereby causing prejudice to the prosecution case. Accordingly, the learned Public Prosecutor prayed for rejection of the petition.

10. I have carefully considered the rival submissions and perused the records made available before the Court. The principal question that arises for consideration is whether the petitioner has made out a

case warranting the exercise of discretion in his favour for grant of regular bail.

11. On perusal of the case records, it is evident that the investigation is still underway and the charge sheet has not yet been filed. Though the learned counsel for the petitioner emphasized that the petitioner is of a young age, that circumstance by itself cannot be a ground to grant bail when serious allegations have been levelled against him. It is the duty of the Court to take into consideration the gravity and seriousness of the allegations while deciding a petition seeking the relief of bail. Therefore, merely because the petitioner is aged 19 years and is pursuing his studies, the same cannot be treated as a sufficient ground to enlarge him on bail at this stage.

12. Further, the photographs and materials placed before the Court by the prosecution prima facie indicate that victim Darshan sustained grievous injuries and remains in a critical condition. The records presently available disclose sufficient material pointing towards the involvement of the accused persons in the alleged incident. Hence, the apprehension expressed by the prosecution cannot be said to be unfounded.

13. This Court is also required to take into consideration the nature and gravity of the accusations. The records reveal that victim Darshan is bedridden, undergoing treatment, and is stated to be unable to recognise the persons around him. At the time of hearing, the father of the victim was present before the Court and submitted that his son is still not in a position to recognise anyone. These circumstances prima facie reflect the serious consequences of the alleged assault.

14. Having regard to the seriousness of the allegations, the stage of investigation, and the present medical condition of the injured victim, this Court is of the considered opinion that it would not be proper to enlarge the petitioner on bail at this juncture. The apprehension of the prosecution regarding possible interference with the investigation also cannot be completely ruled out at this stage.

15. The contention that the petitioner is a young student certainly deserves consideration; however, such a circumstance alone cannot outweigh the gravity of the allegations and the nature of injuries allegedly suffered by the victim.

16. Taking into consideration the totality of the facts and circumstances of the case, this Court is of the view that the petitioner has failed to make out sufficient grounds for grant of regular bail at this stage. Accordingly, **Point No.1 is answered in the Negative.**

Point No.2 :-

17. In view of my finding on Point No.1, I proceed to pass the following:

O R D E R

The Petition filed by the petitioner / accused
U/s.483 of BNSS, is hereby rejected.

(Directly dictated to the Stenographer Grade-III on the computer, corrected, signed and then pronounced by me in the open court on this the 4th day of June, 2026),

Sd/-

(Praveen Kumar. R.N,)
II ADDL. DISTRICT & SESSIONS JUDGE,
CHIKKAMAGALUR.

-00-

(Order pronounced in the open court)
Vide separate order

O R D E R

The Petition filed by the petitioner /
accused U/s.483 of BNSS, is hereby
rejected.

2nd ADJ, Chikkamagaluru.