

KACM010010732026



Presented on : 05-05-2026
Registered on : 05-05-2026
Decided on : 03-06-2026
Duration : 0 years, 0 months, 29 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 3rd DAY OF JUNE, 2026

Crl.Misc./292/2026

PETITIONER/S :

Krishnakumar S.N.,
S/o Ningegowda,
Aged about 48 years,
Dismissed Village Accountant,
R/o: Sadarahalli Village,
Hiregouja Post, Lakya Hobli,
Chikkamagalur Taluk and
District.

(By Smt./Sri B.T.N., Advocate),

-V/s-

RESPONDENT/S :

1. State by Mudigere Police Station,
Chikkamagaluru

(By Learned Public Prosecutor)

2. Smt.S.Ashwini,
Tahsildar,
Mudigere Taluk,
Chikkamagaluru District.

: ORDERS ON BAIL PETITION FILED U/SEC.482 OF BNSS :

The petition filed by the petitioner / Accused No.4 U/s.482 of BNSS, with a prayer to grant him an order of bail with respect to Cr.No.68/2026 of Respondent Police Station registered for the offences punishable under Sec.465, 468, 471 of IPC and section 192(A) of Karnataka Land Revenue Act, 1964 of B.N.S., 2023.

2. Grounds for bail : The petitioner contend that the case has been lodged against him with mala fide intent to illegally arrest him and to subject him to mental and physical harassment.

3. The petitioner further asserts that he is respectable individual, well-rooted in society. He is the permanent resident at the address mentioned in the cause title. He argues that, if he is arrested by the

respondent police, his reputation in society will be tarnished. He claims that a false complaint has been filed solely to harass him and damage his social standing. Consequently, the petitioner is under a reasonable apprehension of being arrested by the respondent police.

4. The petitioner submits that if granted bail, he is willing to comply with any conditions imposed by the court and prepared to furnish sufficient surety for the satisfaction of the court. Hence, petitioner pray for relief of anticipatory bail in respect of his arrest by the police.

5. On the other hand, the learned Public Prosecutor (PP) filed objections to the petition along with the report of IO, contending that, if the petitioner is released on bail, there is a possibility of interference with the investigation by the Investigating Officer (IO) and a risk of tampering with prosecution witnesses or evidence and also that he may commit similar offences. The learned PP further contended that the petitioner has not provided sufficient reasons for granting bail. Hence, she prayed for the bail petition to be rejected.

6. Upon perusal of the petition, objections, FIR, and IO report, I have framed the following points for consideration:

1. Whether the petitioner is entitled to the relief of bail under Section 482 of BNSS?
2. What order?

7. My answers to the above points are as follows:

Point No.1: In the Affirmative

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

REASONS

8. **Point no 1 ; - Point No.1:-**

It is the allegation of the informant against the petitioner and other accused persons that, in the year 2018, the accused persons, without verifying the relevant documents and without obtaining the consent or sanction of the competent department, transferred Government land in favour of the petitioners. Further, according to the informant, the petitioners and other accused persons created forged documents and thereby illegally transferred Government land in favour of the petitioners.

9. During the course of arguments, the learned counsel appearing for the petitioner argued and contended that false allegations have been made against the petitioner at the instance of persons who are inimical towards him. Further, the learned counsel contended that the

entries in the revenue records were made in the year 2018 and, after a lapse of about six to eight years, the present complaint has been lodged against the petitioner and other accused persons with a mala fide intention. It was further argued that the entire case is based on documentary evidence and that the alleged involvement of the petitioner in the commission of the offence can only be determined during the course of trial. The learned counsel further submitted that the petitioner hails from a respectable family and possesses landed properties, as shown in the cause-title address, which indicates that there is no likelihood of his absconding. It was also submitted that the petitioner is a retired Village Accountant and, therefore, there is even less likelihood of his absconding. The learned counsel further contended that substantial investigation has already been completed and that the custodial interrogation of the petitioner is not required by the respondent police. It was further submitted that the petitioner is ready to abide by any conditions that may be imposed by the Court and is willing to furnish sufficient sureties for securing his presence during the course of the proceedings. On these grounds, the learned counsel prayed for allowing the bail petition.

10. Further, the learned counsel placed reliance upon the ratio laid down in the following decisions:

1. **(1980) 2 SCC 565** – *Gurbaksh Singh Sibbia v. State of Punjab*;
2. **(2011) 1 SCC 694** – *Siddharam Satlingappa Mhetre v. State of Maharashtra*;
3. **(2020) 5 SCC 1** – *Sushila Aggarwal v. State (NCT of Delhi)*; and
4. **(2014) 8 SCC 273** – *Arnesh Kumar v. State of Bihar*.

11. In contrast, the learned Public Prosecutor argued and contended that serious allegations have been made against the petitioner and other accused persons, alleging that Government land was transferred in the names of accused Nos.5 and 6 by creating forged documents and without obtaining the necessary sanction from the competent department. Further, the learned Public Prosecutor contended that, at the relevant point of time, the petitioner was working as a Village Accountant and was well aware of the alleged forgery. The learned Public Prosecutor further contended that the custodial interrogation of

the petitioner is very much necessary for the purpose of a fair and effective investigation. It was also contended that the petitioner, in collusion with the other accused persons, who hail from influential backgrounds, may interfere with the investigation and tamper with the prosecution evidence if he is released on bail. The learned Public Prosecutor further submitted that, since a prima facie case has been made out against the petitioner, he is not entitled to the relief of anticipatory bail. On these grounds, the learned Public Prosecutor prayed for rejection of the bail petition.

12. This Court has carefully perused the entire material placed on record by both sides. Further, I have also gone through the ratio laid down in the decisions relied upon by the learned counsel for the petitioner. At this stage, one aspect is very clear, namely that the entire case is based on documentary evidence. Further, the records disclose that the names of accused Nos.5 and 6 were entered in the revenue records in the year 2018 and that the present complaint has been filed only after a lapse of several years. This circumstance creates certain prima facie doubts in the mind of the Court regarding the genesis of the

informant's case. It may be true that, at the relevant point of time, the petitioner was working as a Village Accountant; however, that circumstance by itself is not sufficient to reject his bail petition, particularly when the complaint has been lodged after a considerable lapse of time and substantially after his retirement.

13. Further, it is pertinent to note that the offences alleged are triable by the Court of the First Class Magistrate and are not punishable with death or imprisonment for life. It is also relevant to note that, when the entire case is based on documentary evidence, custodial interrogation of the petitioner does not appear to be necessary. Whether the names of accused Nos.5 and 6 were lawfully entered in the revenue records and whether Government land was illegally transferred in their favour are matters which have to be adjudicated during the course of trial.

14. Further, the petitioner appears to hail from a respectable family and possesses his own properties. He is also a retired Government servant, which indicates that there is less likelihood of his absconding. The apprehension expressed by the State is that, considering the social status of the petitioner, there is a possibility of interference with the

investigation and tampering with the prosecution evidence. However, such apprehension can be adequately addressed by imposing stringent conditions upon the petitioner.

15. Moreover, the mere grant of anticipatory bail does not in any manner impede or halt the investigation. The Investigating Officer is always at liberty to secure the presence of the petitioner whenever required for the purpose of investigation. As observed above, the entire case is based on documentary evidence and the complaint itself has been lodged after a lapse of nearly eight years. In such circumstances, and having regard to the principles laid down in the above-cited decisions governing the grant of anticipatory bail, this Court is of the opinion that the petitioner has made out sufficient grounds for the grant of anticipatory bail. Accordingly, Point No.1 is answered in the **Affirmative**.

16. **Point No.2 :-** In view of the finding of this court on point No.1, I proceed to pass the following :-

ORDER

The Petition filed by the petitioner / accused No.4 U/s.482 of BNSS, is hereby allowed.

Petitioner is ordered to be released on bail in the event of his arrest in Cr. No.68/2026 of Respondent police station, for the offences punishable U/Sec.465, 468, 471 of IPC and section 192(A) of Karnataka Land Revenue Act, 1964, on executing his personal bond for Rs.50,000/-, with a surety for like-sum, and subject to following conditions : -

- 1) Petitioner shall surrender before the IO within 10 days from today.
- 2) He shall co-operate with the IO in proper investigation of the case.
- 3) He shall not tamper the prosecution evidence and threaten the prosecution witnesses directly or indirectly.
- 4) He shall not commit similar type of offences in future.
- 5) He shall appear before court regularly and shall furnish bond and surety as and when directed by the court.

6) He shall provide the address proof before the IO and court.

The violation of the above conditions entails cancellation of the bail.

(Directly dictated to the Stenographer Grade-III on the computer, corrected, singed and then pronounced by me in the open court on this the 3rd day of June 2026),

Sd/-

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

-00-

(Order pronounced in the open court
(Vide separate order)

O R D E R

The Petition filed by the petitioner /
accused No.4 U/s.482 of BNSS, is
hereby allowed.

II ADJ, Chikkamagalur.