

KACM010011762026



Presented on : 22-05-2026
Registered on : 22-05-2026
Decided on : 10-06-2026
Duration : 0 years, 0 months, 19 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 10th DAY OF JUNE, 2026

Crl.Misc./324/2026

PETITIONER/S :

Ramesha
S/o R.H.Lakshmanappa,
Aged about 54 years,
Agriculturist,
R/o: R.G.Kopplu Village,
Kasaba Hobli,
Kadur Taluk.

(By Smt./Sri B.M.L.G., Advocate),

-V/s-

RESPONDENT/S :

1. State by Kadur Police Station,
Chikkamagaluru

(By learned Public Prosecutor)

2. Smt.Nethravathi
W/o Hanumanthappa,
Aged about 35 years,
House wife,
R/o: Maradihalli Village,
Kadur Taluk.

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

The petition filed by the petitioner / Accused No.1 U/s.482 of BNSS, with a prayer to grant him an order of bail with respect to Cr.No.161/2026 of Respondent Police Station registered for the offences punishable under Sec.106(1), 303(2) of BNS and section 135 and 136 of Indian Electricity Act(Amend) 2003.

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 not responsible for the offences alleged against him. It is due to the gust of wind the electric wire had fallen on the ground which was not noticed by the deceased and it was purely accidental. Further the petitioner asserts that, he is

respectable individual, well-rooted in society. Further, argues that, 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** :- According to the informant, her husband was a coolie worker and was also carrying on agricultural activities by taking agricultural lands on lease. In the year 2026, he had taken 3 acres of agricultural land on lease for cultivation. Further, according to the informant, on 17.05.2026, there was heavy wind and rainfall. On the next day morning, at about 7.00 a.m., her husband went to attend agricultural activities with a tractor. After some time, her son and another person also went to the land in a tractor.

9. Further, according to the informant, at about 8.30 a.m., she received information that her husband had sustained injuries due to electrocution and had been shifted to the hospital. When she reached the hospital, she came to know that her husband had already succumbed to the injuries. Thereafter, upon enquiry with her son and another person, she learnt that while her husband was cleaning the

agricultural land, he came into contact with a live electric wire and suffered electrocution, resulting in his death.

10. Further, according to the informant, the petitioner had illegally drawn an electric line and fenced his land without obtaining permission from the MESCOM authorities. Due to the heavy rainfall, the said wire snapped and fell into the agricultural field. According to her, because of the negligence of the petitioner and the Junior Engineer of MESCOM, the incident occurred.

11. At this stage, the learned counsel for the petitioner argued and contended that false allegations have been made against the petitioner without any documentary evidence. Further, the counsel contended that whether the petitioner had drawn the electric wire to his land legally or illegally is a matter to be investigated by the Investigating Agency, and it is utterly false to contend that the petitioner had illegally obtained electricity supply to his land. The counsel further contended that, as per the case of the informant herself, there was heavy rainfall and due to the same the wire had snapped and fallen into the field. Therefore, according to the counsel, there was no negligence on the part of the petitioner.

12. The learned counsel further submitted that substantial investigation has already been completed and that the custodial interrogation of the petitioner is not required. The counsel contended

that the petitioner belongs to a respectable family and is the sole breadwinner of his family. It is further contended that the respondent police are attempting to arrest him unnecessarily. The petitioner is ready to cooperate with the Investigating Agency and is also willing to abide by any conditions imposed by this Court. He is also ready to furnish substantial sureties for securing his presence during the course of investigation and trial. On these grounds, the counsel prayed to allow the bail petition.

13. In contrast, the learned Public Prosecutor contended that serious allegations have been made against the petitioner. According to the prosecution, the petitioner had illegally drawn an electric line to his field and, due to heavy rainfall, the wire snapped and fell into the agricultural land cultivated by the deceased. While the deceased was cleaning the land, he came into contact with the live wire and died due to electrocution.

14. The learned Public Prosecutor further contended that the custodial interrogation of the petitioner is very much necessary for a fair and effective investigation. It is also contended that if anticipatory bail is granted, there is every possibility of the petitioner interfering with the investigation, tampering with the prosecution evidence, or absconding. The learned Public Prosecutor submitted that since a prima facie case is made out against the petitioner, he is not entitled to the discretionary

relief of anticipatory bail. On these grounds, he prayed for rejection of the petition.

15. I have carefully gone through the entire material placed on record by both sides. At this stage, the core issue that arises for consideration is whether the petitioner is entitled to the relief of anticipatory bail. It is well settled that when a prima facie case is made out against an accused, the Court must exercise caution while granting anticipatory bail.

16. However, in the present case, a reading of the complaint itself discloses that there was heavy rainfall on the previous day of the incident and that the deceased went to the agricultural land on the next morning for cultivation activities. Prima facie, it appears that during the night, the electric wire had snapped and fallen into the leased agricultural land. At this stage, it cannot be conclusively determined, without a full-fledged trial, whether there was negligence on the part of the petitioner.

17. The records further disclose that substantial investigation has already been completed. Under such circumstances, the custodial interrogation of the petitioner does not appear to be necessary. Though the allegations against the petitioner are serious in nature, the Court is required to balance the gravity of the accusation with the necessity for

custodial interrogation. At this stage, the materials on record do not indicate the necessity of custodial interrogation.

18. It is the apprehension of the State that if the petitioner is released on anticipatory bail, he may interfere with the investigation, tamper with the prosecution evidence, or abscond. However, in the opinion of this Court, such apprehensions can be adequately addressed by imposing stringent conditions upon the petitioner.

19. Further, as stated by the informant herself, the petitioner owns agricultural lands. This circumstance indicates that the possibility of the petitioner absconding is comparatively less. Mere grant of anticipatory bail is not a ground to stall or hamper the investigation. The Investigating Officer is always at liberty to summon the petitioner whenever his presence is required for the purpose of investigation.

20. Therefore, considering the facts and circumstances of the case, this Court is of the opinion that the petitioner has made out sufficient grounds for grant of anticipatory bail. Accordingly, Point No.1 is answered in the Affirmative.

21. **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.1 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.161/2026 of Respondent police station, for the offences punishable U/Sec.106(1), 303(2) of BNS., 2023 and section 135 and 136 of Indian Electricity Act(Amend) 2003, 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 10th day of June 2026),

Sd/-

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

-00-

For orders. Call on 10.06.2026.

II ADJ, Chikkamagalur

Order pronounced in the open court
(Vide separate order)

O R D E R

The Petition filed by the petitioner / accused No.1 U/s.482 of BNSS, is hereby allowed, subject to conditions.

II ADJ, Chikkamagalur.