



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

Dated this the 6th day of June, 2026

PRESENT

Sri. RAVINDRA HEGDE, M.A., LL.M.,
Prl. District & Sessions Judge,
Chikkamagaluru

CRIMINAL MISC. PETN. No.336/2026

Petitioner

H.D. Ravishankar
S/o. Late Sri. Dakappa
Aged about 68 years
R/o. N.R. Pura town and post
Chikkamagaluru District.
(Reptd. by Sri.BMLG, Advocate)
-Vs-

Respondents:

- 1 State by N.R. Pura police,
(Represented by Public Prosecutor,
Chikkamagaluru)
- 2 Sri. Kiran K.K
S/o. H. Krishnamurthy
Aged about 47 years
R/o. Ward No.5, Main Road
N.R. Pura at and post
Chikkamagaluru District.
(R2 remained absent)

ORDER

This is a petition filed by the petitioner under
Section 482 of BNSS., seeking anticipatory bail in Crime
No.38/2026 of N.R Pura police station registered for the

offences punishable under Sections 329(3), 352, 118(1), 115(2), 351(2), 324(2), 238 of BNS.

2. It is stated in the petition that the petitioner is innocent, he has not committed any of the alleged offences and he has been falsely implicated in this case. It is stated that alleged offences are not punishable with death or imprisonment for life and they are triable by Magistrate. It is stated that there is civil dispute between the parties and he has not violated any injunction order. It is stated that he hails from respectable family having deep roots in the society. It is stated that he apprehends his arrest by respondent police and in the event of his arrest, his reputation will be damaged. It is stated that he is ready to abide by the conditions imposed by the Court and ready to offer surety to the satisfaction of the Court and hence prayed to grant him anticipatory bail.

3. Learned Public Prosecutor has filed objections to the petition, narrating the averments of the complaint and further contended that, there are prima facie material to show that this petitioner has committed the alleged offences. It is stated that, investigation is still in progress and statements of the witnesses are to be recorded and material evidence are yet to be collected. It is stated that, at this stage, if the petitioner is released on anticipatory bail, he may flee away from justice, threaten the prosecution witnesses and destroy evidence. Hence, prayed to dismiss the petition.

4. Despite service of notice, respondent no.2 remained absent.

5. Heard arguments on both sides. Perused the record.

6. Now, the points that arise for consideration are:

1) Whether petitioner is to be granted anticipatory bail?

2) What order ?

7. My answer to the above points are :

Point No.1: **In the affirmative**

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

REASONS

8. **Point No.1** : On the basis of the complaint given by the complainant Kiran H.K S/o. H. Krishnamurthy , respondent police have registered the case in Crime No: 38/2026 against accused for the offences punishable under sections 329(3), 352, 118(1), 115(2), 351(2), 324(2), 238 of BNS. In the complaint, complainant has alleged that he is in possession and enjoyment of a residential property bearing Assessment No. 432/653 at Ward No. 05, Narasimharajapura. It is stated that on 09.05.2026 at about 11:15 a.m., the accused, H.D. Ravishankar, in violation of a temporary injunction order passed in O.S. No. 22/2025 by the Civil Judge and JMFC Court, N.R.Pura, unlawfully entered the backyard of his property and broke open the lock affixed to the gate. It is stated that when questioned, accused allegedly abused him, assaulted him with club and by hands, threatened him with dire consequences, and damaged his mobile phone by snatching and throwing it to the ground while he was recording the incident. It is stated that in the incident he sustained

injuries and took treatment at N.R. Pura Govt. Hospital and hence prayed to take action against the accused.

9. Learned counsel for petitioner argued that, there is civil dispute between the parties and as such a false case has been filed against the petitioner and except offence u/s 118(1) all other offences are bailable. On the contrary, learned Public Prosecutor opposed grant of anticipatory bail.

10. On perusal of the record, it is seen that the allegations against the petitioner are that he trespassed into the disputed property, assaulted the complainant, threatened him and damaged his mobile phone. Admittedly, there is civil dispute between the parties with regard to landed property and that a civil suit in O.S. No.22/2025 is pending between them. The investigation is still in progress. At this stage, this Court is not required to conduct a detailed examination of the merits of the case or appreciate the evidence. The alleged offences are not punishable with death or imprisonment for life. Except the offence u/s 118(1) of BNS, all other offences alleged are bailable offences. It is stated that petitioner is the permanent resident of the address mentioned in the cause title. The apprehension of the prosecution with regard to the petitioner jumping out of bail, tampering the prosecution witnesses and hampering the trial, can be met with by imposing suitable conditions. On considering all these aspects, it is a fit case to grant anticipatory bail to the petitioner, with conditions. Accordingly, point No.1 is answered in the affirmative.

11. **Point No.2:** For the discussions made on above point, the following order is passed:

ORDER

Petition filed by the petitioner under Section 482 of BNSS., is allowed.

In the event of arrest of the petitioner in Crime No.38/2026 of N.R. Pura police station, for the offences punishable under Sections 329(3), 352, 118(1), 115(2), 351(2), 324(2) and 238 of BNS., he is ordered to be released on bail on his executing personal bond for a sum of Rs.50,000/- (Rupees fifty thousand only) with one surety for likesum, subject to following conditions:

- (1) He shall surrender himself before the Investigating Officer within 15 days from the date of this order.
- (2) He shall not threaten or tamper with prosecution witnesses in any manner.
- (3) He shall make himself available before the I.O whenever directed and shall cooperate for investigation;
- (4) He shall not involve in similar or any other offences.

(Typed to my dictation by Stenographer Grade-I directly on the computer, after corrections, signed and then pronounced by me in the open Court on this the 6th day of June, 2026). Sd/-

(RAVINDRA HEGDE)

Principal District & Sessions Judge,
Chikkamagaluru.

Rag/-