



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

Dated this the 15th day of June, 2026

PRESENT

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

CRIMINAL MISC. PETN. No.355/2026

Petitioners

- 1 Smt. Geetha
W/o. Mohan Kumar
Aged about 32 years
R/o. Andenahalli Village
Kadur Taluk
- 2 Sri. Maruthi G.K
S/o. Kumaraswamy G.H
Aged about 40 years
- 3 Smt. Devamma @ Umadevi S
W/o. Kumaraswamy G.H
Aged about 55 years

Nos. 2 and 3 are R/o. Ramagiri
Village, Holalkere, Rangapura,
Chitradurga District.
(Reptd.by Sri.KHM, Advocate)

-Vs-

Respondent:

State by Kadur police,
Chikkamagaluru represented by
Public Prosecutor, Chikkamagaluru

ORDER

This is a petition filed by the petitioners under
Section 482 of BNSS., seeking anticipatory bail in Crime

No.159/2026 of Kadur police station registered for the offences punishable under Sections 329(4), 352, 74, 118(1), 351(2) and 3(5) of Bharatiya Nyaya Sanhita (for short BNS).

2. It is contended by the petitioners that they are innocent and have not committed any offences and they have been falsely implicated in the case. It is stated that Petitioner No.1 is the daughter-in-law of the complainant, Petitioner No.2 is the brother of Petitioner No.1, and Petitioner No.3 is the mother of Petitioners No.1 and 2. It is stated that after the marriage of Petitioner No.1 with the complainant's son, they lived together as husband and wife for about five years, thereafter, disputes arose between the complainant and Petitioner No.1, complainant allegedly subjected Petitioner No.1 to repeated harassment and cruelty by making unlawful demands for dowry. It is stated that the complainant has given false complaint against the petitioners and petitioners are now apprehending arrest by respondent police and in the event of their arrest, their reputation will be damaged. It is also stated that the alleged offences are not punishable with death or imprisonment for life and there is delay of two days in filing the complaint. It is stated that petitioners are permanent residents of the cause title address having deep roots in the society. It is stated that they are ready to abide by the conditions that may be imposed by the Court and are ready to offer surety to the satisfaction of the Court and hence prayed to grant anticipatory bail.

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

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

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

1) Whether petitioners are to be granted anticipatory bail?

2) What order ?

6. My answer to the above points are :

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

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

REASONS

7. **Point No.1** : On the complaint given by the complainant Smt Sakamma W/o. Jayanna, on 17.05.2026, respondent police have registered the case in Crime No:

159/2026 against accused No.1 to 3 for the offences punishable under sections Sections 329(4), 352, 74, 118(1), 351(2) and 3(5) of BNS. In the complaint, complainant has alleged that her son, Mohan Kumar, was married about ten years ago to Geetha, petitioner No.1 herein and they have a son. According to her, marital disputes had arisen between Mohan Kumar and Geetha, and Geetha had allegedly been quarrelling with and assaulting her husband for the past two years. About three months prior to the complaint, Geetha allegedly drove Mohan Kumar out of the matrimonial home, following which he started residing with the complainant and her husband. Owing to the matrimonial discord, Mohan Kumar had issued a legal notice to Geetha about two months earlier. It is alleged that thereafter Geetha, along with her mother - accused No.3 and brother -accused No.2, frequently came to her house, abused and harassed the complainant and her husband, and took away the keys of the family's tractor, motorcycle, car, and certain mobile phones and complaints in this regard were allegedly made to Kadur police on earlier occasions. It is stated that on 15.05.2026 at about 4.00 p.m., while the complainant was alone in her house, accused No.1 to 3 came there, abused her in filthy language, and questioned her for supporting her son in issuing the legal notice. It is stated accused No.2 allegedly caught hold of her hair and clothes and dragged her, while accused Nos. 2 and 3 have assaulted her and accused No.1 also struck the complainant on her back with coconut shaft.

It is stated when neighbours intervened and pacified the quarrel and accused persons threatened to kill the complainant before leaving the place. With these allegations, the complainant prayed to take action against the petitioners. Now the petitioners, who are accused No.1 to 3 in the above crime are before this court, seeking anticipatory bail, which is opposed by the prosecution.

8. Learned counsel for petitioners has submitted that there is delay of two days in lodging the complaint, petitioners have been falsely implicated in the case due to matrimonial dispute between Petitioner No.1 and the complainant's son and present complaint is a counterblast to the legal proceedings initiated between the spouses and the offences alleged are not punishable with death or imprisonment for life and therefore, petitioners are entitle for anticipatory bail. Per contra, learned Public Prosecutor argued that the materials collected during the course of investigation make out a prima facie case against the petitioners, if the petitioners are granted anticipatory bail at this stage, there is every likelihood of their absconding, intimidating the complainant and other prosecution witnesses, and tampering with the prosecution evidence.

9. On perusal of the materials on record and on going through the rival submissions, it is evident that the dispute between the parties has its genesis in the matrimonial discord between complainant's son and petitioner No.1. The allegations made against the

petitioners arise in the background of the strained relationship between the spouses and the consequent disputes between the two families. At this stage, the allegations made in the complaint are yet to be established during investigation. The alleged offences are not punishable with death or imprisonment for life. The complaint came to be lodged after a delay of two days from the date of the alleged incident. The petitioners are permanent residents of the addresses shown in the cause title and there is nothing on record to indicate that they are likely to flee from justice. The apprehension of the prosecution that the petitioners may tamper with the evidence or influence prosecution witnesses can be met with by imposing suitable stringent conditions. On considering all these aspects, it is proper to grant anticipatory bail to the petitioners, with conditions. Accordingly, point No.1 is answered in the affirmative.

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

ORDER

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

In the event of arrest of petitioners No.1 to 3, in Crime No.159/2026 of Kadur police station, for the offences punishable under Sections Sections 329(4), 352, 74, 118(1), 351(2) and 3(5) of BNS., they are ordered to be released on bail on their executing personal bond for a sum

of Rs.1,00,000/- (Rupees one lakh only) each with two sureties for likesum, subject to following conditions:

- (1) They shall surrender themselves before the I.O within 15 days from the date of this order.
- (2) They shall not threaten or tamper with prosecution witnesses in any manner.
- (3) They shall make themselves available before the I.O whenever directed and shall cooperate for investigation;
- (4) They 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 15th day of June, 2026).

(RAVINDRA HEGDE)

Principal District & Sessions Judge,
Chikkamagaluru.

Rag/-