

KACM010012482026



Presented on : 04-06-2026
Registered on : 04-06-2026
Decided on : 11-06-2026
Duration : 0 years, 0 months, 7 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 11th DAY OF JUNE, 2026

Crl.Misc./360/2026

PETITIONER/S:-

Santhosh S/o Ramu,
Aged about 34 years,
R/o: Indiranagara,
Bilugola Village,
Mudigere Taluk.

(By Smt./Sri. K.B.S., Advocate),

// Vs //

RESPONDENT:-

State by Balehonnur Police Station,
Chikkamagaluru.

**(By Public Prosecutor,
Chikkamagalur)**

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

This bail petition is filed by the petitioner / accused No.3 under Sec.483 of BNSS, requesting the court to enlarge the petitioner on regular bail in connection with Cr.No.49/2026 of Respondent Police station, registered for the offences under Sec.333(1), 331(4), 305 of BNS., 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. 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 Affirmative

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, he had arecanut plantation as well as coffee plantation and having godown. Further according to him, after the cultivation of the arecanut, he was usually storing the same in his godown till raising the market value. Further according to

him, in the year 2025-26, he had stocked 149 bags of dried arecanut in his godown. However, on opening the door of the godown on 03.04.2026, around 5 p.m., he noticed that, out of 149 bags, 7 bags were stolen. On these grounds, he filed the information before the respondent that, nearly Rs.2,50,000/- value of arecanut is stolen through his godown. On that information, the police registered the case and arrested the instant petitioner.

9. During the course of arguments, the learned counsel appearing on behalf of the petitioner contended that, the false allegation is made against the petitioner and he has been illegally arrested by the respondent police. Further, he contended that according to the informant in the month of April 2026, the arecanut were stolen from his godown. However, the information was given to the police in the month of May-2026. It appears that, on the same day night, the petitioner is arrested, which itself shows that there is a suspicion in the information given by the informant.

10. The learned counsel further submitted that, the petitioner is coming from respectable family and he is the only bread earner of his family. Further the counsel contended that, the petitioner is ready to obey all the conditions imposed by the Court and even he is ready to give substantial surety for his appearance in the future. On these grounds, the counsel prayed to allow the bail petition.

11. Per contra, the learned Public Prosecutor contended that, mere filing the information at the belated stage, that is not the ground to

allow the bail petition when the substantial recovery was done with the petitioner. Further the Public Prosecutor contended that when there is a prima facie case is made out against the petitioner and when the investigation is not completed, then the petitioner is not entitled for bail. On these grounds, the learned Public Prosecutor prayed for dismissal of the bail petition.

12. I have carefully gone through the materials placed on record and the submissions made by both sides. Here at this stage, it would show prima facie doubt regarding the information given by the informant. According to the informant the arecanuts were stolen on 1st April 2026. However, he lodged the complaint on 26.05.2026 with a reason stating that, even though he made hectic efforts to trace the arecanuts, he did not found. However such explanation in this stage, shows some suspicion over the prima facie case. Further, the record would show that after filing information, on the same night the petitioner is arrested. It also created some doubts in the mind of the court. Further, here at this stage, it would show substantial investigation is already completed and further custodial interrogation of the petitioner not required.

13. It is the apprehension of the State that if at this stage, bail is granted, there is chances of abscondance of the petitioner or in tampering the prosecution evidences. Such an apprehension can be adequately addressed by imposing stringent condition on the petitioner. By considering all the above, here at this stage it would

show that the petitioner is made out sufficient grounds to allow the bail petition. Accordingly, **Point No.1 is answered in the Affirmative.**

Point No.2 :-

14. 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 No.3 U/Sec.483 of BNSS, is hereby allowed.

Petitioner is ordered to be enlarged on bail on his executing personal bond for a sum of Rs.50,000/-, with a surety for like-sum to the satisfaction of the committal Court, and subject to following conditions: -

1. Petitioner shall not hamper or tamper the prosecution witnesses.
2. He shall not directly or indirectly induce or cause threat to the prosecution witnesses with an intention to destroy its case.
3. He shall appear before the I.O as and when called for and co-operate in the investigation of the case.
4. He shall attend before the court on all the dates of hearing, after filing of the Charge sheet.

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 11th day of June, 2026),

Sd/-

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

-00-

Cri. Misc.No.360/2026

(Order pronounced in the open court)
Vide separate order

O R D E R

The Petition filed by the petitioner /
accused No.3 U/Sec.483 of BNSS, is
hereby allowed, subject to conditions.

2nd ADJ, Chikkamagaluru.

