



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

Dated this the 20th day of June, 2026

PRESENT

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

CRIMINAL MISC. PETN. No.377/2026

Petitioners

- 1 Smt. Anvitha.K.V.,
D/o Veere Gowda.K.S.,
Aged 36 years,
R/o Koduvalli village,
Vastare Hobli,
Chikkamagalur.
- 2: Smt.Somamma.J.P. @ Sunanda
W/o.late. Veere Gowda
Aged 61 years
Coffee Planter
R/o Koduvalli village
Vastare Hobli
Chikkamagalur.
- 3: Smt. Sudha
W/o Puttaraju
Aged 34 years
Maid
R/o Koduvalli village
Vastare Hobli
Chikkamagalur

(Reptd.by Sri.IST, Advocate)



-Vs-

Respondent: State by Aldur Police, Chikkamagaluru.
(Represented by Public Prosecutor)

Complainant: Chinmaya C.S.
(Represented by Sri P.E.S., Advocate)

* _*_ *

ORDER

This is a petition filed by the petitioners under Section 482 of BNSS., seeking anticipatory bail in Crime No.118/2026 of Aldur police station registered for the offences punishable under Sections 85, 115(2), 118(1), 109 and 3(5) of Bharatiya Nyaya Sanhita (for short BNS) and Sections 3 and 4 of Dowry Prohibition Act.

2. It is contended by the petitioners that they are innocent, they have not committed any of the alleged offences and they have been falsely implicated in this case. It is stated that complainant is not residing with brother of the petitioner No.1. It is stated that the marriage of the brother of the petitioner No.1 and the complainant was celebrated on 10.12.2020 and their marriage was love marriage and



within a week of the marriage the complainant wanted to reside separately and she did not want to live with mother and sister of her husband and he took a rented house at Mudigere and even after arranging a separate house the complainant never adjusted to her husband and refused to attend any functions and festivals and she restricted her husband, accused No.1 in receiving phone calls of the petitioners No.1 and 2. It is stated that since 2024 the accused No.1 is not residing with the complainant and she had snatched the gold chain, pendent and mobile of accused No.1 Avinash; that Avinash had lodged a complaint against the complaint before the Aldur police and the police had summoned the complainant and advised her to lead happy marital life, even after that the complainant had not joined the company of accused No.1, her husband. It is stated that after registration of the complaint the police have arrested accused No.1 and now petitioners apprehend their arrest by the respondent police. It is stated that they are permanent residents of the cause title address and they are deep rooted in the society. It is stated that they are 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 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 also stated that , 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. The complainant has voluntarily appeared through counsel and objected the bail petition and objected granting of bail. Complainant has stated that the family of the petitioner has provoked her for prostitution business and petitioner No.2 is running prostitution and she is involved in different criminal cases.

4. Heard arguments on both sides. Perused records.

5. The points that arise for my 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:** The brief facts of the prosecution case is that on 05.06.2026, Smt. Chinmaya C.S., W/O.Avinash K.V. lodged complaint with respondent police alleging that her marriage with accused No.1 was solemnized on 10.12.2020. As per the complaint, at the time of marriage, her parents provided about 200 grams of gold ornaments and 500 kilograms of silver articles and cash of Rs.5,00,000/- as dowry as per the demands of the bridegroom's family. It is stated that one month after her marriage, her mother -in-law started to subject her to mental and physical torture and took her to hospital and got her treated for not conceiving. It is stated that, her in-laws took loans by using her cheques, pledged her gold ornaments and thali and obtained loans in her name and they have also sold her two gold rings . It is stated that on 26.3.2026 they allegedly sent her to her parental house and insisted her that she should bring Rs.2 lakhs and thereafter her husband and family members allegedly blocked her phone number and



did not take her back. She later came to know that her husband was living with another woman and had posted photographs with her on social media. It is stated that on 2.6.2026 when she visited the matrimonial house with her sister she allegedly found her husband / accused No.1 with another woman and when she shouted, her mother-in-law dragged her by holding her collar and kicked her, the accused No.1 slapped her and dragged her out of the house with an intention to kill her and made her to fall down , sat on her chest, squeezed her neck and attempted to kill her and the other accused persons supported him by stating that don't leave her – kill her and the accused persons ousted her out of the house by throwing her clothes out of the house and posed threat on her life. On this complaint, Respondent Police have registered the case and started investigation. Now the petitioners are seeking anticipatory bail in this petition and the same is opposed by the Prosecution and also the complainant.

8. Learned counsel for petitioners argued that the allegations against petitioner Nos.1 to 3 are vague, omnibus and devoid of specific overt acts, the complainant was residing at Mudigere and she never visited the house of the petitioners at Koduvalli, as such the question of subjecting her to mental and



physical torture does not arise at all. It is further argued that the marriage of the complainant with the accused NO.1 was a love marriage, as such the question of demanding dowry from the parents of the complainant does not arise at all. The complaint has been filed after three days of the alleged date of incident, as such there is a delay in lodging the complaint which clearly shows that it is an after thought and no such untoward incident has been taken place as alleged. He has also argued that petitioners are permanent residents having roots in society, are willing to cooperate with the investigation and abide by any conditions imposed by the Court. He further argued that in view of the decision of the Hon'ble Supreme Court in Arnesh Kumar v. State of Bihar and another, petitioners cannot be even arrested. He has also argued that as petitioners are apprehending their arrest, they are entitle to anticipatory bail. On the other side, learned Public Prosecutor argued that the materials on record make out a prima facie case against the petitioners, investigation is still in progress, material evidence is yet to be collected and statements of witnesses are yet to be recorded and that if anticipatory bail is granted at this stage, the petitioners may abscond, threaten the complainant and other prosecution witnesses, and tamper with the prosecution evidence. Learned counsel for complainant



has also argued and opposed the bail and submitted that family of the accused is involved in Immoral trafficking and petitioners is not entitle for bail. He has also argued that the petitioner No.2 is running prostitution and is involved in many cases and if she is given bail, she may influence and tamper the investigation.

9. Perusal of complaint allegations disclose a matrimonial dispute between petitioners and the complainant. Though serious allegations of cruelty, dowry demand and intimidation have been made, it requires thorough investigation and adjudication during trial. Whether such allegations are true or otherwise is a matter to be established during investigation and trial. At this stage, there is no material to show that their custodial interrogation is necessary. The petitioners are stated to be permanent residents of the address shown in the cause title of the petition and there is nothing on record to indicate that they are likely to abscond or evade the process of law. The apprehension of the prosecution with regard to the petitioners 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 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 the petitioners in Crime No.118/2026 of Aldur police station, for the offences punishable under Sections 85, 115(2), 118(1), 109 r/w. 3(5) of BNS., and Sections 3 and 4 of Dowry Prohibition Act, 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-III directly on the computer, after corrections, signed and then pronounced by me in the open Court on this the 20th day of June, 2026).

sd

(RAVINDRA HEGDE)

Principal District & Sessions Judge,
Chikkamagaluru.

*mvp/-