

KACM010012162026



Presented on : 02-06-2026
Registered on : 02-06-2026
Decided on : 17-06-2026
Duration : 0 years, 0 months, 15 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 17th DAY OF JUNE, 2026

Crl.Misc./351/2026

PETITIONER/S:-

Sachin Kumar B.S. S/o Srinivas,
Aged about 32 years,
R/o: Beleooru, Mudugoppa(Nagara),
Nagara-Shivamogga.

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

// Vs //

RESPONDENT:-

1. State by Balehonnur Police Station,
Chikkamagaluru.

**(By Public Prosecutor,
Chikkamagalur)**

2. Kum.Supriya M.G. D/o Ganesh,
32 years,
R/o: Muduguni Village,
N.R.Pura Taluk, Chikkamagaluru
District.

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

This bail petition is filed by the petitioner / accused under Sec.483 of BNSS, requesting the court to enlarge the petitioner on regular bail in connection with Cr.No.41/2026 of Respondent Police station, registered for the offences under Sec.69 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, in view of filing of FIR, he had filed a bail application under section 482 of BNSS., 2023 in Crl.Misc.No.294/2026 seeking anticipatory bail, but during the pendency of the said petition, the respondent police have arrested him and hence, he got withdrawn the said petition. Further he asserts that, he is respectable person and deep rooted in the society and law abiding citizen. 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 Negative

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

R E A S O N S

Point No.1 :-

7. It is the case of the informant that in the year 2014 when she had attended the marriage ceremony of her relative, the accused

became acquainted with her. Thereafter, he obtained her mobile number and stated that he was in love with her. Further, it is the case of informant that, believing his words, she also fell in love with him. Thereafter, the accused frequently came to her, took her along with him, and continuously maintained sexual relation with her. Further, according to the informant, the said fact was well known to both their family. However, it is the case of the informant that, thereafter, without her knowledge, the accused got engaged to another lady. On these grounds, the informant lodged the complaint before the respondent police.

8. During the course of arguments, the learned counsel for the petitioner argued that the petitioner has not committed any offence as alleged by the informant. Further, he contended that both of them are majors and that the informant was well aware of what they are doing. According to the learned counsel, after the filing of the complaint by the informant the petitioner consumed poison and underwent treatment. Further, the learned counsel contended that since his arrest, the petitioner has been in judicial custody and that the respondent police have substantially completed the investigation and do not require any further custodial interrogation of the petitioner. The learned counsel further submitted that the petitioner comes from a respectable family and there are very less chances of his absconding. He has a permanent place of residence and he is ready to abide by any conditions imposed by the court. He is also ready to furnish sufficient

sureties for securing his presence in future. On these grounds, the learned counsel prayed allow the petition and grant regular bail.

9. In contrast, the learned public prosecutor contended that no reasonable grounds have been made out by the petitioner for grant of bail. It was further submitted that serious allegations have been made against the petitioner, mainly that he obtained the consent of the informant on a misconception of fact and in order to satisfy his lust frequently subjected informant to sexual intercourse. The learned public prosecutor further contended that, if bail is granted at this stage, there is every possibility of the petitioner interfering with the investigation and that he may abscond or tamper with or hamper with prosecution evidence. The learned public prosecutor also submitted that even the informant had consumed poison after learning that the accused had become engaged to another lady and was preparing to marry her. On these grounds the learned public prosecutor prayed to reject the petition.

10. On these backdrop, no doubt, at this stage, it would show that a serious allegation of rape is leveled against the petitioner. It is also not in dispute that both the petitioner and the informer are majors. However, at this stage, it appears that only the preliminary investigation has been completed and not the final investigation. Moreover, the victim was present through video conference and she also raised objections to the bail petition and stated that bail may be granted only if the petitioner is ready to marry her.

11. Further, at this stage, it is pertinent to note that the offence alleged to have been committed by the accused is not only against the victim but also against the society at large. When a serious case is alleged against the petitioner, it is the duty of the court to consider its seriousness and gravity and to be circumspect as to whether there exists any likelihood of absconding or tampering with or hampering the prosecution evidence. At this stage, it appears that the apprehension of the State cannot be ruled out when the investigation is not completed. Having regard to the seriousness and gravity of the offence, this court is of the opinion that it is not proper stage to grant regular bail. Considering all these above facts and circumstances, it appears that the petitioner has not made out sufficient grounds for grant of regular bail. Accordingly, point No.1 is answered in the Negative.

Point No.2 :-

21. In view of my finding on Point No.1, I proceed to pass the following:

ORDER

The Petition filed by the petitioner / accused
U/Sec.483 of BNSS, is hereby rejected.

(Directly dictated to the Stenographer Grade-III on the computer, corrected, signed and then pronounced by me in the open court on this the 17th day of June, 2026),

sd

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

-00-

Cri. Misc.No.351/2026

(Order pronounced in the open court)
Vide separate order

O R D E R

The Petition filed by the
petitioner / accused U/Sec.483 of
BNSS, is hereby rejected.

2nd ADJ, Chikkamagaluru.

