



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

Dated this the 25th day of June, 2026

PRESENT

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

CRIMINAL MISC.PETN. No.385/2026

Petitioners

- 1 Smt. Manjula
W/o. Gangadhara
Aged about 45 years
- 2 Sri. Sudeep, S/o. Gangadhara
Aged about 25 years
- 3 Sri. Suchith, S/o. Gangadhara
Aged about 26 years
- 4 Sri. Gangadhara
S/o. Channaiah
Aged about 51 years
- 5 Sri.Koushik, S/o. Nagesh
Aged about 22 years
- 6 Smt. Sharada, W/o. Nagesh
Aged about 38 years
- 7 Sri. Nagesh, S/o. Manjaiah
Aged about 38 years
All R/o. Mulluvara Village,
Hosahallipete Post
Chikkamagaluru.
- 8 Sri. Pradeep, S/o. Dasaiah
Aged about 33 years R/o.
Kabbinamane
Belur Taluk, Hassan District.
(Reptd. by Sri.KNC, Advocate)

-Vs-

Respondents:

- 1 State by Aldur police , reptd.by
Public Prosecutor, Chikmagaluru)
- 2 Smt. Bhagya, W/o. Puttaswamy
Aged about 45 years, Housewife
R/o. Mulluvare Village
Vastare Hobli,
Chikkamagaluru Taluk
(Represented by Sri: MSL, Adv.)

ORDER

This is a petition filed by the petitioners, who are accused No.1 to 8, under Section 482 of BNSS., seeking anticipatory bail in Crime No.92/2026 of Aldur police station registered for the offences punishable under Sections 352, 115(2), 118(1), 351(2), 74, 54 and 190 of BNS.

2. In the petition, petitioners have stated 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 they apprehend arrest by respondent police and in the event of their arrest, their reputation will be damaged. It is stated that alleged offences are not punishable with death or imprisonment for life. It is stated that they are permanent residents of cause title address, having deep roots in the society and as such, there is no chance of their abscondence. 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 him anticipatory bail.

3. Learned Public Prosecutor has filed objections to the petition along with report of the I.O, narrating the averments of the complaint and further contended that,

there are prima facie material to show that the petitioners have 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 the petitioners are politically and economically influential and at this stage, if they 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. Respondent No.2 appeared through her counsel and opposed the petition by filing objection.

5. Learned counsel for petitioners produced discharge summary of petitioners No.1 and 3. Learned counsel for respondent has also produced OP record of the complainant with photographs.

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

7. The points that arise for my consideration are :

1) Whether petitioners are to be granted anticipatory bail?

2) What order ?

8. My answer to the above points are :

Point No.1: In the affirmative

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

REASONS

9. **Point No.1:** Respondent police have registered the above case against the accused persons on the basis of the statement given by Smt. Bhagya W/o. Puttaswamy on

14.05.2026 at MG Hospital, Chikkamagaluru. In the statement, complainant has stated that on 13.05.2026 at about 8.00 a.m., while she was proceeding towards a plantation for work and her husband was riding the motorcycle, one Sujith intercepted their motorcycle and questioned her as to why she had recorded and circulated an audio message concerning his mother, Manjula. It is stated that, in this regard, complaints had earlier been lodged before the Aldur police station against Manjula, Sharada, Nagesh and Kaushik, but the said complaints were subsequently withdrawn on the assurance that the dispute would be amicably resolved in the presence of elders of the village. It is further alleged that on 14.05.2026 at about 8.00 a.m., a meeting was convened at the community hall of the village in the presence of village elders for settlement of the dispute. When she has attended the said meeting, accused NO.1 allegedly abused her in filthy language and assaulted her by hitting her on the back and on the fingers of her right hand. Thereafter, accused No.2 assaulted her on the head with his hands, and accused NO.3 assaulted her on her back. It is stated that accused No.4 to 7 abused her in filthy language and issued life threat and thereafter she took treatment at M.G.Hospital, Chikkamagaluru, for the injuries sustained by her. It is further alleged that disputes between her family and the families of Manjula and Sharada were allegedly caused by accused No.8, who is petitioner no.8 herein and hence prayed to take legal actions against the accused. Based on the this statement, respondent police have registered the case in Crime No: 92/2026 against accused No.1 to 8 for

the offences punishable under sections 352, 115(2), 118(1), 351(2), 74, 54 and 190 of BNS and took up investigation. Hence, the petitioners have come up with this petition, seeking anticipatory bail and the same is opposed by the prosecution and also complainant/respondent No.2.

10. Learned counsel for petitioners has argued that the complaint itself discloses the existence of earlier complaints and counter allegations between the families, indicating that the present case has arisen out of personal animosity. He further argued that the alleged incident occurred in a public meeting convened in the presence of village elders, there exists case and counter case arising out of the same transaction, alleged offences are not punishable with death or imprisonment for life and hence petitioners may be granted anticipatory bail. On the contrary, learned Public Prosecutor opposed grant of anticipatory bail mainly on the ground that, the offences alleged are serious in nature, investigation is still in progress and incriminating materials are yet to be collected.

11. Learned counsel for respondent no.2 argued that the complainant had taken treatment at M.G. Hospital, Chikkamagaluru for the injuries sustained in the incident, petitioners formed an unlawful assembly and assaulted the complainant in a pre-arranged meeting convened for settlement of disputes, the allegations are specific in nature and overt acts have been attributed to the petitioners and therefore, considering the gravity of the allegations and the possibility of threatening the witnesses, he prayed for dismissal of the petition.

12. On careful consideration of the rival submissions and the material placed on record, it is evident that the dispute between the parties appears to have arisen out of prior enmity and misunderstandings existing between their families. The complaint itself refers to earlier complaints lodged and subsequent withdrawal with an intention to amicably settle the dispute through intervention of village elders. The allegations against the petitioners relate to assault and intimidation said to have taken place in a meeting attended by several villagers which are matters to be considered during investigation and adjudication during full pledged trial. The injuries alleged by both sides and the rival versions are matters to be investigated and adjudicated during trial and do not, by themselves, warrant custodial interrogation of the petitioners. At this stage, this Court is not required to conduct a detailed examination of the merits of the case or appreciate the evidence. It is an admitted fact that the counter-complaint filed by petitioner No.1 against the present complainant and others was registered in Crime No.91/2026 of respondent police. It is stated that petitioners are the permanent residents of the address mentioned in the cause title. 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.

13. **Point No.2:** For the discussions made on above point, the 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, who is arrayed as accused Nos.1 to 8 in Crime No.92/2026 of respondent police station, for the offences punishable under Sections 352, 115(2), 118(1), 351(2), 74, 54 and 190 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 one surety for like sum, subject to following conditions:

- (1) They shall surrender themselves before the Investigating Officer within 15 days from the date of this order.
- (2) They shall not threaten complainant and her family members and shall not 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 indulge 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 25th day of June, 2026).

Sd/-

(RAVINDRA HEGDE)

Principal District & Sessions Judge,
Chikkamagaluru.

Rag/-