

ORDER ON BAIL APPLICATION

The learned counsel for the accused has filed bail application under Sec.480 of BNSS. In the bail application, the accused has stated that the Town PS, Chamarajangar have filed a charge sheet against the accused for an offences punishable under sections 331(4) and 305 of Bharatiya Nyaya Sanhita. The accused has not committed any of the offences as alleged in the charge sheet. The accused is in judicial Custody in this case since 07.01.2026. The investigating officer has already filed the charge sheet in this case. Since the investigation is already completed and the charge sheet is filed, this accused is no longer required for any custodial interrogation and the judicial custody of this accused is not essential for the purpose of this case.

1(a). The learned counsel for the accused further submitted that the accused is an innocent and law-abiding citizen and he has been falsely implicated in this case by the complainant with some ulterior motive. The accused has been in judicial custody in this case for more than 3 months and 20 days. The offences punishable against the

accused is triable by this court. The offences alleged against the accused are not punishable with life imprisonment. Initially, during the FIR/investigation stage, the accused had filed a bail application before this court under Section 480 of BNSS, which came to be rejected by order dated 12.02.2026. Thereafter, the accused filed a bail petition under Section 483 of BNSS before the Hon'ble Principal District and Sessions Judge, Chamarajanagar in Crl. Misc. No.156/2026, which was also rejected by order dated 24.04.2026. At the time of filing the earlier bail applications, investigation was pending and the complete facts of the case were not available. Now, as investigation is completed and charge sheet has been filed, additional materials are available before this court to consider the innocence of the accused. Hence, on the changed circumstances, the accused has filed the present bail application seeking bail.

1(b). The learned counsel for the accused submitted that several witnesses are cited in the charge sheet and the trial has not yet commenced. As the accused is in judicial custody and the trial is likely to take considerable time, continued detention

would cause hardship to his family, who depend on him for their livelihood. The accused is the permanent resident of Chamarajangar Town. The accused undertakes not to abscond from the jurisdiction of this court & not to tamper the prosecution witnesses. The accused undertakes to attend this court on all the dates of hearing without fail. The accused further undertakes to abide by such terms & conditions as this court imposes upon him. The accused is ready to furnish surety to the satisfaction of this court. Hence, on these grounds, he prays to allow the application.

2. On the other hand, learned APP has filed objection contending that the reasons mentioned in the application are all false. It is further contended that the accused is a professional thief involved in several criminal cases and if he is released on bail, he is likely to indulge in similar offences again. If the bail is granted to the accused, there are chances to absconding from this court proceedings and causing delay to conducting the trial. Hence, on these grounds, he prays to reject the bail application.

3. On perusal of the case papers, it is noticed that the complainant police have registered this case against the accused for an offenses punishable under Sec.331(4) and 305 of BNS. The learned counsel for the accused furnished medical records. Further, the jail authorities have submitted a requisition along with medical records of accused for seeking permission to conduct the surgery to the accused as advised by the doctors of K.R. Hospital, Mysore. Perused the same.

4. On perusal of documents available on record, it is noticed that the offenses alleged against the accused are non-bailable in nature. Moreover, the accused is ready to furnish the surety to the satisfaction of this court and he is ready to abide any conditions imposed on him while granting the bail. Further more, in this case, the investigation officer has already filed charge sheet against the accused. As such, the presence of the accused is no longer required for the purpose of investigation. In the bail application, the accused undertakes to present at the time of trial without fail.

5. Having regard to the facts and circumstances of the case, particularly the medical

condition of the accused requiring surgery and the fact that the investigation is completed and charge sheet has already been filed and the undertaking given by the accused to abide by the conditions of bail, this court is of the opinion that the accused may be enlarged on bail by imposing stringent conditions. Accordingly, the bail petition deserves to be allowed and this court proceed to pass the following:

ORDER

The bail application filed by the accused under Sec.480 of BNSS is hereby allowed with following:

CONDITIONS

1. The accused shall execute the personal bond of ₹.30,000/- with one surety for like sum.
2. The accused shall present before this court on all dates of hearing without fail.
3. The accused shall co-operate to conduct the trial and disposal of this case.
4. The accused shall produce a valid identity card before this court.

I Addl. Sr. Civil Judge an JMFC.,
Chamarajanagar.