

KADG010007622026



Presented on : 05-03-2026  
Registered on : 05-03-2026  
Decided on : 16-03-2026  
Duration : 0 years, 0 months, 11 days

**IN THE COURT OF  
II ADDL. DISTRICT AND SESSIONS JUDGE DAVANAGERE  
AT: DAVANAGERE**

**(PRESENT:- SRI. PRAVEEN KUMAR. R.N, B.Com, LL.B. )  
II ADDL. DISTRICT AND SESSIONS JUDGE  
DAVANAGERE**

**DATED THIS THE 16TH DAY OF MARCH, 2026**

**Crl.Misc.No.214/2026**

**PETITIONER/S:-**

1. Ramuni Ramanatham, S/o Ramuni Muthyalu, 70 years, (A.No.1),
2. Ramuni Suman, D/o Ramuni Ramanathan, 43 years, (A.No.2),
3. Ramuni Sudeer, S/o Ramuni Ramanathan, 41 years,

All are Rice Merchants, R/o D.No.1-79,  
Prabath Nagara, Chaithanyapuri,  
Ranga Reddy District, Telangana State,

**(By Smt./Sri. C.T.H, Advocate),**

**// Vs //**

**RESPONDENT:-**

State by Malebennuru Police Station,

**(By Public Prosecutor, Davanagere),**

**: ORDERS ON BAIL PETITION FILED U/SEC.482 OF BNSS :**

The petitioners filed petition under Sec.482 of BNSS, for seeking the relief of anticipatory bail on apprehension of their arrest of respondent Police Station for the offences punishable U/s.108, 316(2), 318(4) R/w.Sec.3(5) of BNSS.

2. **The grounds for bail in the petition:** As per the petitioners, they are respectable persons and they are under reasonable apprehension that the respondent police may arrest them for the offences alleged as above. The petitioners are innocent, their permanent resident is the above cause title address and they are rice merchants. They are having movable and immovable properties in their place, they have not having any earlier criminal antecedents. The petitioners law abiding citizens and deep rooted in the society and they have not committed any offence as alleged by the complainant. It is further stated in the petition that petitioners are respectable persons. If the respondent police have arrested by the petitioners, their future will be spoiled in the society. There is no prima facie case is made out against the petitioners. There is no chance for them to abscond or flee

away from justice. There is a civil dispute between the parties, petitioners and the complainant are known persons. The alleged offences are not imprisonment for life. If the petitioners are released on bail, they are ready to abide by any conditions that may be imposed by the court and they are ready to provide sufficient surety for the satisfaction of the court. Hence, prayed to allow the petition.

3. On the other hand learned PP has contended that, so far the respondent police have not registered any case against the petitioners. Further contended that offence alleged against the petitioners are serious in nature and if they released on bail there is a chance for tampering the prosecution witnesses and threatening the prosecution evidences and danger of abscondance. There is a prima facie case is made out against the petitioners. Further it is stated that this court is not having the jurisdiction to entertain the petition. Learned PP further contended that there is no sufficient reasons were given by the petitioners in respect of bail. Hence, prayed for reject the bail petition.

4. On perusal of the petition and objection, I framed the following points for consideration: –

- 1) Whether the petitioners are entitled for the relief of anticipatory bail under Sec.482 of BNSS ?
- 2) What order ?

5. 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 ;-

## REASONS

### Point No.1 :-

6. The brief facts of the case are that, according to the prosecution, there is a civil dispute between the complainant and the petitioners. C.H. Ramesh is the owner of Dhanalakshmi Rice Mill, with whom the petitioners have been in contact for several years and have been conducting business over the phone. Ramesh also has a partner named Asif. Furthermore, the petitioners have been making advances to Ramesh through RTGS for many years. In this situation, instead of trading rice, Ramesh is said to have invested the money obtained from purchasing and selling rice from farmers into granite, schools, clothing, and real estate, thereby incurring significant losses, and is selling the purchased rice to other States at higher prices. The petitioners have been carrying on business by purchasing paddy directly from Dhanalakshmi Traders and Asif and converting it into rice in their mill. There is no direct contact between the farmers of Harihara Taluk and the petitioners. Ramesh, Asif, and others are allegedly demanding more money from the petitioners, claiming that they have suffered losses. When the petitioners did not agree, Ramesh and others allegedly created a ruckus in the rice mill itself and threatened to file a complaint against the petitioners if they did not pay a higher price and also threatened to commit suicide by writing the petitioners' names in a complaint. Due to the said incident, the respondent police are stated to have initiated action.

7. In the present case, the respondent police have not registered any FIR against the present petitioners. Whenever the petitioners purchased paddy from Dhanalakshmi Traders, they paid advance amounts through RTGS, and the petitioners have submitted bills along with the complaint. Later, the petitioners filed a complaint before Ibrahim Pattanam Police Station in the State of Telangana in Crime No.131/2026.

8. Furthermore, the petitioners are innocent. The first petitioner is an aged person suffering from age-related ailments, and petitioners No.2 and 3 are the children of petitioner No.1. There is no complaint lodged against the petitioners before Malebennur Police Station regarding any paddy business. On that basis, the petitioners herein have apprehension of their arrest by the respondent police for the offences punishable under Sections 108, 316(2), and 318(4) read with Section 3(5) of the BNSS. Hence, this petition.

9. The learned counsel for the petitioners argued that the petitioners are permanent residents of the address mentioned in the cause title and have undertaken to abide by any conditions that may be imposed by this Court upon their release. The petitioners are paddy merchants and possess both movable and immovable properties at their native place. They are respectable persons and law-abiding citizens. The petitioners have not been involved in the commission of the offences alleged by the owner of Dhanalakshmi Traders, Asif, and others. The alleged offences are not punishable with death or imprisonment for life.

The petitioners have families to support and are the sole earners of their respective families.

10. Further, the learned counsel for the petitioners argued that the respondent police have intentionally made certain allegations against the petitioners. The petitioners have not cheated Dhanalakshmi Traders, Asif, or others. No prima facie case is made out against the petitioners. They are innocent persons and have no knowledge regarding the alleged incident. The dispute between the parties is purely financial in nature. Hence, the learned counsel prayed to allow the petition and submitted that this Court has jurisdiction to entertain the present petition. The learned counsel for the petitioners has also filed a memo along with citations reported in *2020 AIAR (Criminal) 639 – Sushila Aggarwal and Others vs. State (NCT of Delhi) and Another*.

11. Per contra, the learned Public Prosecutor appeared on behalf of the respondent and submitted that the Hon'ble Supreme Court in its judgment in *Arnesh Kumar vs. State of Bihar* has held that before arresting the petitioners, the police must comply with the guidelines laid down in the said judgment and effect arrest only if necessary. It is further submitted that there is a financial dispute between the parties. If the petitioners are released on bail, there is a possibility of repetition of similar offences and there is also a chance that they may abscond from the jurisdiction of this Court. It is further contended that this Court does not have the jurisdiction to entertain the petition and that there is no apprehension of arrest as no case has been registered against the

petitioners at this stage. Hence, the learned Public Prosecutor prayed for rejection of the bail petition.

12. I have perused the entire records submitted by both sides. At this stage, according to the respondent police, no case has been registered in their police station. It is evident that no crime has been registered within Davanagere District. The learned Public Prosecutor contended that this Court does not have jurisdiction to entertain the petition. However, I am unable to accept the said contention. In various decisions, the superior courts have held that where the petitioners are permanent residents and have filed an anticipatory bail petition apprehending arrest, the Court within whose jurisdiction they reside has the power to entertain the petition. On perusal of the petition, it is evident that the petitioners are permanent residents of the address mentioned in the cause title and they are paddy merchants. At this stage, the petitioners have expressed apprehension that the respondent police may arrest them at the instance of the informant. Therefore, considering the above circumstances, this Court is of the opinion that it has jurisdiction to entertain the petition.

13. It is the contention of the petitioners that there is a business and monetary dispute pending between the petitioners and Dhanalakshmi Traders and others, and in support of the same the petitioners have produced certain documents. The person who transacted with them is said to have sustained heavy loss and has made allegations against the petitioners that they are responsible for the said loss. The petitioners have also submitted several bills which indicate that there were

business dealings between them and the said persons. According to the petitioners, the said paddy merchant has been threatening them on several occasions stating that he would file a complaint and have them arrested through the police. It is further stated that the police have called the petitioners several times. Therefore, the petitioners apprehend that if they appear before the police, they may be arrested for the alleged offences. Hence, at this stage it appears that entertaining this petition would not lead to any miscarriage of justice. Further, on perusal of the documents submitted by the petitioners, it appears that there is a monetary dispute between the parties.

14. At this stage, it is evident that the petitioners are permanent residents of the address mentioned in the cause title and they possess movable and immovable properties at the said address. As submitted by the learned counsel for the petitioners, petitioner No.1 is an aged person suffering from age-related ailments, and petitioners No.2 and 3 are his children. All of them are paddy merchants and are the sole earning members of their respective families. Since the petitioners are permanent residents of the address mentioned in the cause title, they will be available for the respondent police whenever their presence is required for interrogation. Further, it appears that by imposing certain stringent conditions upon the petitioners, the apprehension of the complainant can be adequately addressed.

15. The petitioners have expressed apprehension of arrest and harassment by the jurisdictional police. The grant of anticipatory bail will not in any manner limit or restrict the powers or duties of the police

officer or the investigating agency to investigate the allegations against the petitioners. Therefore, there are no legal impediments to grant anticipatory bail to the petitioners in respect of the alleged offences.

16. Under the circumstances, I am of the view that by imposing stringent conditions on the petitioners, the apprehension of the State can be addressed. On the basis of the above observations, I answer **Point No.1 in the Affirmative.**

17. **Point No.2 :-** In view of my finding on Point No.1, I proceed to pass the following :-

### **O R D E R**

Petition filed by the petitioners under Sec.482 of BNSS, is hereby allowed.

The Respondent police are hereby directed to release the petitioners on bail in case of any complaint lodged against the petitioners before the respondent Police for the offences punishable under Sec. 108, 316(2), 318(4) R/w.Sec.3(5) of BNSS, on executing their personal bond for sum of Rs.50,000/- each, with a surety for like-sum, to the satisfaction of the arresting authority, subject to the following conditions;-

1) The petitioners shall not threaten or tamper with the prosecution witnesses, directly or indirectly.

2) The petitioners shall appear before the I.O as and when called for the investigation, during reasonable hours of the day.

3) The petitioners shall produce their I/D Card before the I.O, or concerned Court.

4) The grant of bail is not applicable to the petitioners if they involved in any serious offences other than they stated in their petition.

The violation of the above conditions entails cancellation of the bail. cancellation of the bail.

( Directly dictated to the Stenographer on the computer, corrected, singed and then pronounced by me in the open court on this the 16<sup>th</sup> day of March, 2026 ),

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

(Order pronounced in the open court)  
Vide separate order

**O R D E R**

Petition filed by the petitioners  
under Sec.482 of BNSS, is hereby  
allowed, subject to conditions.

2<sup>nd</sup> ADJ, Davanagere.

