

KADG010009042026



Presented on : 12-03-2026
Registered on : 12-03-2026
Decided on : 26-03-2026
Duration : 0 years, 0 months, 14 days

**IN THE COURT OF
I ADDL DISTRICT AND SESSIONS JUDGE
AT DAVANGERE.**

**PRESENT:-SRI.SHRIRAM NARAYAN HEGDE, B.A, LL.M.
ADDL.DISTRICT & SESSIONS JUDGE, FTSC-I,
DAVANAGERE.**

**C/c I ADDL. DISTRICT & SESSIONS COURT,
DAVANAGERE.**

DATED THIS THE 26th DAY OF MARCH, 2026

Crl.Misc.230/2026

PETITIONER/S :

Nagaraja S/o Hanumanthappa, Aged about 45
years, Coolie work, R/o Kakkaragolla village,
Davanagere Taluk and District. (Accused No.2)

(By Sri. H.C., Advocate)

-V/s-

RESPONDENT :

State by Rural Police,
Davanagere.

(By Public Prosecutor, Davanagere)

ORDER

1. The petitioner/accused No.2 has filed this petition U/S.438 of Cr.P.C. (Sec.482 of BNSS) seeking for an order of anticipatory bail.
2. On the basis of the complaint filed by Murugesh P.C. S/o P.M.Channabasappa, a case is registered at Davanagere Rural police station in Crime No.37/2015. After investigation the investigating officer has submitted charge sheet against the accused for the offence punishable U/S.380 and 457 of IPC.
3. The case of the prosecution in brief is that, on 29/01/2015 within the jurisdiction of Davanagere Rural police station at Kakkaragolla village this accused along with accused No.1 and 3 entered inside the Patel Veerappa Agro Agency shop by break open the lock and committed theft of

Rs.40,000/- cash along with LG Tv and thereby committed the offences.

4. Now this petitioner/accused No.2 is contending that, he is innocent person and he has not committed any offence. He is falsely implicated in this case. Investigation is already completed and charge sheet is also submitted. He has not received summons from the trial court. Since the police have not executed warrant, a case against him is split up. Now the police are searching him for his arrest. He is ready to face the trial. He is ready to appear before the trial court on all the dates of hearing. He is ready to abide by the conditions that may be imposed by this court court. Hence prayed to to allow the petition.

5. Prosecution contested this petition by filing detailed objection by reiterating the case of the complainant and further contended that, there is a prima facie case against this accused. He is already absconding. If bail is granted, this accused may tamper the prosecution witnesses or again he may abscond. Hence prayed to reject the petition.

6. Heard arguments and perused the records.

7. Now the point for determination is as follows:

1) Whether the petitioner/accused No.2 has made out sufficient grounds to grant an

order of anticipatory bail by resorting to special powers vested in this Court U/S.482 of BNSS?

8. On the basis of the materials available on record, finding to the above point is in the Affirmative for the following:

REASONS

9. **Point No.1:-** I have gone through the entire materials available on record. The alleged offences are even though non-bailable, they are not punishable with death or imprisonment for life. It is not in dispute that this petitioner is the permanent resident of the address mentioned in the cause title. He is ready to abide by the conditions that may be imposed by this court. There is no criminal antecedents. The order sheet of the trial court reveals that case against him is already split up. NBW is issued against him. Under such circumstances there is every chance of his arrest. Reasonable conditions will meet the objection of the prosecution. Hence aforesaid point is answered in the affirmative and proceed to pass the following :

ORDER

Bail petition filed by the petitioner/accused No.2 U/S.482 of BNSS is hereby allowed.

In the event of arrest of this petitioner in Crime No.37/2015 of the respondent police

station (C.C.416/2016) for the offences punishable U/S.457 and 380 of IPC, he shall be enlarged on bail on his executing personal bond for a sum of Rs.50,000/- with one surety for like sum on the following conditions:

- 1) petitioner/accused No.2 shall appear before the trial court within 15 days from the date of this order and shall execute personal bond in a sum of Rs.50,000/- with one surety for like sum in C.C.416/2016 or in split up case.
- 2) He shall not tamper the prosecution witnesses.
- 3) He shall appear before the trial court on all the dates of hearing without fail.

(Dictated to the Stenographer, after transcription computerized by her, corrected, signed and then pronounced by me in the open court on the 26th March 2026)

(Shriram Narayan Hegde)
C/c I ADDL.DISTRICT & SESSIONS JUDGE,
DAVANAGERE.