

KADG010017342026



Presented on : 04-06-2026  
Registered on : 04-06-2026  
Decided on : 17-06-2026  
Duration : 0 years, 0 months, 13 days

**IN THE COURT OF THE I ADDL. DISTRICT AND  
SESSIONS JUDGE, DAVANAGERE.**

Present : **Sri. Gururaj Somakkalavar, M.A., LL.B.,**  
I Addl. District & Sessions Judge, Davanagere.

**Dated this the 17<sup>th</sup> day of June 2025**

**SC.52/2026**

**Complainant:**

State by Davanagere Rural Police  
Station.

[By Public Prosecutor, Davanagere.]

/vs/

**Accused :**

Ningaraja S/o Chidanandappa,  
Aged about 27 years, Labourer, R/o  
Hunasekatte village, Davanagere Taluk.

[By Sri.S.S./R.P., Adv]

**Order on bail application filed by the accused U/s  
483 of BNSS**

This is an application filed by the accused No.3 U/s 483 of BNSS for the offences punishable U/s 3 of PDPP Act.

2. Brief facts of the application are as under:

That accused No.3 is innocent of the offences alleged against him. He is law abiding citizen, He has not committed any offences as alleged in the complaint. He is the only bread earner of his family. He is the permanent resident of Davanagere District and having movable and immovable properties. He is ready to abide the conditions imposed by the court also ready to furnish surety to the satisfaction of the court. If he is not granted bail, his entire family will be put to great hardship. Therefore, prayed for allowing him on bail.

3. These facts have been denied by the opponent/prosecution in the objection statement contended that, application is not maintainable either in law or on facts of the case. The investigation has already been completed, charge sheet is filed. The available material clearly goes to show the involvement of the accused in commission of the offence. The offences leveled against the accused are non-bailable, heinous in

nature. So, at this stage if he is enlarged on bail, there is every chance of tampering the prosecution witnesses, so also chance of absconding the accused from the jurisdiction of the court, he may threat the complainant and other witnesses. Therefore, prayed for rejection of the application.

4. Heard the arguments of both sides, perused the petition, objections and available material placed on record, following points arise for my consideration:

1) Whether the accused No.3 is entitle for bail from the hands of this court?

2) What order?

5. My findings on the said points are as under:

Point No.1 : In the affirmative

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

### **REASONS**

6. **POINT NO.1:** Davanagere Rural Police have filed the charge sheet against this accused No.3 and another for the offences punishable U/s 3 of PDPP Act in their Cr.No.120/2019.

7. The case of the prosecution is that, the accused No.3 along with other accused have damaged the water purifier unit of high tech sweet water technology Pvt. Ltd., as they have not been provided with water immediately. With these allegations charge is filed. The accused No.3 herein availed bail. But he remained absent after that. Number of warrants are issued when he is not regular before court. After that on execution of warrant accused No.3 produced before court and he is remanded to judicial custody. Now the matter is committed before this court. The accused No.3 has filed this application seeking release on bail.

8. On perusal of the record, already the investigation has completed and charge sheet is filing, the trial yet to commence. The allegations are proved in the trial. Hence custodial interrogation of the petitioner is not warranted as already charge sheet is filed. The present application can be considered putting conditions on accused No.3 of not hampering the trial and flee from the justice. The apprehension of the prosecution can be met by imposing conditions. The detention of the accused No.3 is not warranted. Considering the facts and circumstances, the accused No.3 is entitled for bail. However, it is made clear that if the accused No.3 is abscond again or jumped the bail, a stringent order will

be passed. With these conditions, the present application is deserves to be allowed. The accused No.3 has made out grounds to allow the application. Accordingly, I answered point No.1 in the affirmative.

9. **POINT NO.2:** In view of my foregoing discussion on Point No.1, I proceed to pass the following;

**ORDER**

Bail petition filed U/s 439 of Cr.P.C. by the accused No.3 is allowed.

The accused No.3 is ordered to be released in SC No.52/2026 (Cr.No.120/2019) on executing his personal bond for Rs.1,00,000/- with two sureties for the likesum (out of two sureties, one surety must be the surety of Government servant) on the following conditions.

1. The accused No.3 shall not tamper with the Prosecution witnesses either directly or indirectly in any manner.
2. The accused No.3 shall not abscond from the ordinary residence and he should furnish the address proof to the concerned police.

3. The accused No.3 shall have to appear before the court on all hearing dates without fail.

4. The accused No.3 shall not indulge in any kind of offence.

5. The accused No.3 shall not leave the jurisdiction of the Court without prior permission of the concerned Court.

If any of the above conditions violated, the IO is at liberty to move for cancellation of bail.

(Dictated to the Stenographer on computer, corrected and then pronounced by me in the Open Court, on this the **17<sup>th</sup> day of June 2026**)

**[Gururaj Somakkalavar]**

I Addl District & Sessions Judge,  
Davanagere.