

KADK300002952026



**IN THE COURT OF THE V ADDITIONAL DISTRICT AND
SESSIONS JUDGE, D.K. MANGALURU, SITTING AT
PUTTUR, D.K.**

Dated: - This the 4th day of June 2026

PRESENT

SRI. SADANANDA NAGAPPA NAIK., BAL. L.L.B.,
V Additional District And Sessions Judge,
D.K., Mangaluru, sitting at Puttur D.K.

:: Crl.Misc./5119/2026 ::

Petitioner	-	Jithesh @ Jithesh Poojary, Aged about 30 years, S/o. Narayana Poojary, R/at. Kallaje road, Kaje, Kuntala Kody, Indabettu Village, Bangady Post, Belthangady Taluk, D.K.,
		(By Sri. C.R.N, Advocate)
- V/s -		
Respondent	-	The State of Karnataka
		(By Learned Public Prosecutor)

: ORDERS ON BAIL PETITION FILED U/Sec.482 OF B.N.S.S,
2023:

The petitioner has filed this petition u/Sec.482 of BNSS, to
grant anticipatory bail in his favour in Crime No.56/2026 of
Kadaba P. S.

2. The Petitioners' case:

The Kadaba P. S., have registered a case against the petitioner/accused for the offences punishable U/Sec.108 of BNS. Hence, by apprehending arrest, the petitioner has approached this Court seeking Anticipatory bail. Therefore, the present petition for anticipatory bail.

: GROUNDS FOR BAIL :

That the Petitioner is innocent of the alleged charges leveled against him and has not committed any offence as alleged. The Petitioner hail from respectable middle-class family and he is permanently residing at the above said address shown in the Cause-Title. That the Petitioner is having very good name and fame in general public and is having deep roots in the society. The Petitioner is neither habitual offenders nor ex-convicts and not having any knowledge or connivance in the alleged offence. The custodial detention of the Petitioner by the concerned police is also not required for effecting any recovery. The complainant has stated in the said complaint that, his father committed suicide on 1-05-2026 and that at the time the complainant had no suspicion regarding the suicide. But thereafter, on 3-05-2026, the complainant has lodged a delayed complaint against the petitioner after 3 days. This false accusation appears to be

planned with an intention of harassing the petitioner. That there is no iota of legally tenable material or evidence against the Petitioner to show his involvement or complicity in the alleged offence except the vague, baseless allegations. Now by taking advantage of the above case being registered against the Petitioner, the police attached to Kadaba Police are in search of the Petitioner for his arrest and ill treatment in his police lock up. The police have already visited the house of the Petitioner, holding threat. In the event of the arrest of the innocent Petitioner by the concerned police, he will not only illegally detain and ill treat him in the police lock up but also parade him by hand cuffing in the general public so as to tarnish the good image and reputation of his respectable family. The Petitioner is the only earning members of his family. The entire family depends on him for their livelihood. The Petitioner is peace-loving citizens of India and is not involved in anti social or any other acts involving moral turpitude. No doubt, the alleged charges are a non-bailable offence but the same is not punishable with death or imprisonment for life, and the alleged offences are triable by This Hon'ble Court. The Petitioner is ready and prepared to abide by any reasonable conditions that may be imposed by this Hon'ble Court on his release on bail and also to offer surety for his release

on bail and for his due further appearance either before the concerned police or before the Hon'ble Court as and when required for investigation, and for smooth trial in the above case. On these grounds, he prays to allow the petition in the interest of justice.

3. The learned Public Prosecutor has filed objections along with report of I.O., by interalia contending that, the petitioner/accused has committed offences punishable U/Sec.108 of BNS. In the event of granting bail to the petitioner/accused there are chances of threatening the prosecution witnesses and delaying the disposal of the case. The case is under investigation and the investigation conducted so far reveals that there is prima-facie case against the petitioner. It is pending to send the death note written by the deceased Chinnappa Poojary at the time of his suicide to the Forensic Science Experiment Laboratory for a report. Since the deceased asked to check the phone records of his mobile, his mobile phone and the mobile phone of the accused will have to be examined. In the event of granting bail to the petitioner/accused, he may commit similar type of offence or he may not present before the court and he may abscond. The I.O., has stated that the accused is required for investigation purpose.

On these grounds, the Learned Public Prosecutor prays to reject the bail petition in the interest of justice.

4. I have heard the arguments on both sides and perused the materials on record and report produced by the I.O.

5. From the above facts, the following points arise for my consideration.

1. Whether the petitioner/accused prove that he has made out sufficient grounds for grant of anticipatory bail as prayed for?

2. What Order?

6. My findings on the above points are as follows:

Point No. 1 :: In the affirmative

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

: REASONS :

7. **Point No.1:-** The petitioner/accused is knocking the doors of this Court for Anticipatory Bail, with apprehension of his arrest in a case registered U/Sec.108 of BNS. It is alleged that the complainant is a hotel owner. On 1-05-2026, the complainant's father Chinnappa Poojary was found to have committed suicide by hanging from the window in a rented room. The complainant has already filed a complaint regarding this in the police station and on

the oversight there was no doubts of foulplay and the complainant has filed the complaint saying it was a suicide. But the door to the rented room was not locked from the inside, and this raised the suspicion of the complainant. When a mahazar was conducted before the police and a post-mortem was done at the Government Hospital, Chinnappa Poojary's mobile phone and a note was found in his pocket. In the said note, it was written that "Jitu (Jitesh Poojary) and Sathya are responsible for my death" and also mentioned to look at his phone records. On 30-04-2026, at 7:30 PM, Chinnappa Poojary has called a person named Sandeep and told to come the next day to give a complaint against two persons. However, since Sandeep was driving a vehicle at the time, he said he would call back, but he was unable to call him back. Because of this incident, the complainant strongly suspects foul play. The complainant now fears that Jitu and Sathya may be the reason for his father's suicide. Hence, the complainant lodged a complaint against the petitioner before Kadaba Police in Crime No.56/2026 for the aforesaid offence.

8. The learned counsel for the petitioner and learned Public Prosecutor have argued as per their contentions taken in their respective petition and objections. I have carefully perused the

contents of bail petition, documents produced along with it and objection filed by the learned Public Prosecutor.

9. Herein, the petitioner/accused is apprehending his arrest in the above said case. Further, he is apprehending ill-treatment by the police. The documents produced by the petitioner show that he is the resident of address shown in the cause title. Since there is conflicting versions regarding the death of Chinnappa Poojary, the true fact can be ascertained only at the time of trial and not at this stage. Therefore, the veracity of the allegations and the counter allegations of the parties could be appreciated only after the trial. Further, it is stated that he has deep roots in the society and ready to abide by any conditions and to offer surety for his release on bail.

10. The alleged offences are not punishable with death or imprisonment for life. Therefore, considering the facts and circumstances of the case and societal interest, I am of the view that anticipatory bail could be granted to the petitioner/accused in the present case. It appears that the apprehension of the State could be met with by imposing suitable conditions on the petitioner and the anticipatory bail could be granted in favour of

the petitioner. Therefore, I record my answer to the above **point No.1 in the affirmative.**

11. **Point No.2 :-** For the foregoing reasons, I proceed to pass the following:-

: ORDER :

The petition filed by the petitioner/ accused U/Sec.482 of BNSS., is hereby allowed.

Accordingly, in the event of arrest of the petitioner in Crime No.56/2026 on the file of Kadaba Police Station, the investigating officer/arresting officer shall release him by taking a personal bond for Rs.50,000/- (Rupees fifty thousand) with two sureties for the like sum, with following conditions.

- 1. One of the sureties shall be the family member or close relative or friends of the petitioner.***
- 2. The petitioner shall surrender before the SHO, Kadaba Police Station within 20 days.***
- 3. He shall appear before the investigating officer on every Thursday between 10.00 a.m., and 1.00 p.m., for a period of two months and shall co-operate with him in proper investigation of the case.***

- 4. He shall not threaten the complainant and other prosecution witnesses and tamper the prosecution evidence directly or indirectly.**
- 5. He shall attend the jurisdictional Court regularly on all hearing dates.**
- 6. He shall not involve in similar type of offences in future.**
- 7. He shall furnish address proof to the I.O.**

The violation of above conditions entails cancellation of the bail.

(Dictated to the stenographer directly on computer, typed by her corrected by me and then pronounced in the open Court, today the 4th day of June 2026).

(Sri. Sadananda Nagappa Naik.)

V Addl. District and Sessions Judge,
D.K., Mangaluru, sitting at Puttur, D.K.