



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

Dated: - This the 5th 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./5128/2026 ::

Petitioner		Khateeja,(A3) W/o. Mahammad Ashraf, Aged about 42 years, R/at. 2-114, Korungu House, Mundoor Village and Post, Kemminje (Rural), Puttur Taluk, D.K.,
		(By Sri. M.F.M, Advocate)
- V/s -		
Respondent	1.	The State By Puttur Town Police Station,
		(By Learned Public Prosecutor)

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

The petitioner/accused has filed this petition U/sec.482 of B.N.S.S. 2023, to grant an order of Anticipatory Bail in her favour in connection with Crime No.55/2026 of Puttur Town Police

Station, D.K., which is pending on the file of Prl. Sr. Civil Judge and ACJM court, Puttur, in the interest of justice.

2. **The Petitioners' case:-**

Puttur Town Police have registered a case in Crime No.55/2026 against petitioner/accused for the offences punishable U/Sec.329(4), 137(2), 127(2), 115(2), 118(2) 118(1), 351(3) r/w 3(5) of BNS. The petitioner apprehending arrest and harassment by the police have filed the present anticipatory bail petition on following grounds.

GROUND FOR BAIL

That the petitioner is innocent of the offence alleged against her and she is falsely implicated in the above said case at the instance of complainant. That there is no prima facie against the petitioner nor there is any ingredients to come to the conclusion that the Petitioner has committed the above said offences or no reasonable grounds for believing that she is guilty of offences as alleged. The major discrepancy in the prosecution case itself speaks in volumes about the falsity of the case entire articles are custody of complainant. That the offence alleged against the accused is non- bailable in nature. But it is neither punishable with life imprisonment nor with death sentence. The alleged case is exclusively triable by court of Magistrate. The

petitioner is ready to offer surety for her release on bail and she is ready and willing to abide by conditions, which this Court deems fit to impose under the circumstances of the above case. On these grounds, she prays to allow the petition in the interest of justice.

3. The Learned Public Prosecutor filed objections along with the report of the I.O. by interalia contending that, the petitioner/accused has committed the offences punishable U/Sec.329(4), 137(2), 127(2), 115(2), 118(2) 118(1), 351(3) r/w 3(5) of BNS. The accused is the 1st wife of the complainant. The accused colluding with other accused of this case, abducted the complainant and assaulted him. If the petitioner is released on bail, she may commit similar crime in future also. If the petitioner is released on bail, she may threaten the prosecution witnesses. The grounds urged in the petition for anticipatory bail are concocted story. The petitioner has not made out sufficient grounds for grant of anticipatory bail. On these grounds the learned Public Prosecutor prays to reject the above bail petition in the interest of justice.

4. I have heard the arguments on both sides and perused the documents produced by the petitioner.

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

- 1. Whether the petitioner/accused has made out sufficient grounds for grant of anticipatory bail as prayed for in the petition?**
- 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. It is alleged that, the complainant had fell in love with and married one Rubiya, daughter of Isamma. Prior to this marriage, the complainant had already married to one Khateeja, who is his first wife. It is alleged that the complainant contracted the second marriage without disclosing his subsisting first marriage, which was objected to by the second wife Rubiya and her mother Isamma. On 30-04-2026, while the complainant was sleeping in his house, his first wife Khateeja intentionally left the door latch open, taking advantage of this, on 01-05-2026, at about 01:30 a.m., Isamma with an intention to separate the complainant from Rubiya, brought along five associates to the complainant's house. They unlawfully

trespassed into the house, woke up the complainant from sleep, forcibly took him outside, assaulted him with hands, and compelled him to sit inside a car, thereby abducting him and proceeding towards Moodbidri. At about 03:30 a.m., at Moodbidri, Isamma, her husband Abbas, and one Arif assaulted the complainant with hands. Thereafter, they forcibly took him in the car to a place near Saradka, Vittla, to the house of Rubiya's brother, where the complainant was wrongfully confined. It is further alleged that Sameer, Sagar, and Arif assaulted the complainant using sticks (byras) to which stone weights were tied, causing injuries to his back, right hand, and left leg. At the same time, Isamma assaulted him with a bamboo stick, and another known person repeatedly assaulted the complainant on his chest, resulting in bleeding injuries. Subsequently, the complainant was brought down from the said house, again forced into the car, and at about 12:00 noon, he was dropped at Nehru Nagar, Puttur Kasaba Village, Puttur Taluk. The accused persons allegedly threatened him with dire consequences, stating that if he disclosed the incident to anyone, they would kill him and his children. Thereafter, the complainant informed his brother-in-law Majeed about the incident and got himself admitted to the Government Hospital, Puttur, for treatment of his injuries. It is thus

alleged that, as the complainant had married Rubiya despite having a subsisting marriage with Khateeja, the accused persons, with an intention to separate him from Rubiya, criminally trespassed into his house, abducted him, wrongfully confined him, assaulted him, and issued life threats. Hence, the complainant filed the complaint. On the basis of said complaint, the concerned police have registered the case in crime No.55/2026 against the accused person for the above said offences.

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 her arrest in the above said case. Further she is apprehending ill-treatment by the police. On perusal of FIR, complaint and other documents, it reveals that, the accused is the 1st wife of the complainant and there is a family dispute between the complainant and the accused. Hence, the allegations made by the complainant needs to be enquired into in detail.

10. The alleged offences are not punishable with death or imprisonment for life. The alleged offences are triable by the judicial Magistrate Court. 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 B.N.S., is hereby allowed.

Accordingly, in the event of arrest of the petitioner/accused in Crime No.55/2026 on the file of Puttur Town Police Station, D.K, the investigating officer/ arresting officer shall release her by taking a personal bond for Rs.50,000/- (Rupees fifty thousand) with one surety for the like sum, with following conditions.

- 1. The petitioner/accused shall surrender before the SHO, Puttur Town Police Station, D.K., within 20 days from today.**
- 2. The petitioner/accused shall appear before the I.O., on every alternative Sunday between 10:00 a.m., to 2:00 p.m., for a period of 2 months and shall co-operate with I.O., in proper investigation of the case.**
- 3. He shall not tamper the prosecution evidence and threaten the prosecution witnesses directly or indirectly.**
- 4. He shall not commit/involve in similar type of offences in future.**
- 5. He shall appear before the Jurisdictional court and furnish self bond and surety within 20 days from today**
- 6. He shall produce her address proof to the Jurisdictional court and 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 5th day of June 2026).

(Sri. Sadananda Nagappa Naik)

V Addl. District and Sessions Judge,

D.K., Mangaluru, sitting at Puttur, D.K.