



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

Dated: - This the 6th 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./5133/2026 ::

Petitioner	-	Mohammed Ashraf Aged about 47 years, S/o. Abdulla, R/at 1-16-1, Adibayi House, Aivathoklu Village, Karikala Post, Sullia Taluk, D K District - 574232
		(By Smt. R.M. Advocate)
- V/s -		
Respondent	-	State Subramanya P. S.
		(By Learned Public Prosecutor)

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: ORDERS ON BAIL PETITION FILED
U/Sec.482 OF BNSS 2023 :

The petitioner has filed this petition u/Sec.482 of BNSS,
2023 to grant an order of Anticipatory Bail in his favour in

connection with Crime No.57/2025 of Subramanya Police Station, which is pending on the file of Addl. Civil and JMFC Court, Sullia, D.K., in the interest of justice.

2. The Petitioner's case:-

The Subramanya Police have registered a case in Crime No.57/2025 against the petitioner for the offences punishable u/Sec.4, 7 and 12 of Karnataka Prevention of Cow Slaughter and Cattle Preservation Act 2020 and Sec. 66, 192(A) of Indian Motor Vehicles Act, 1988. In the event, if the petitioner appears before the Subramanya P.S., the Petitioner is apprehending that he will be arrested by the Police. Therefore, he has filed the present bail petition on following grounds ;

GROUND'S FOR BAIL

The arrest is not mandatory - as held in Arnesh Kumar v/s. State of Bihar and Satender Kumar Antil S. CBI on 15th January 2026. The petitioner is innocent of the offence alleged against him and he has been falsely implicated in this case. The Accused No.1 by name Hamid has already enlarged on bail and Accused No.2, 3, 4 are enlarged on anticipatory bail in Crl. Misc. No. 5233/2025 and 5231/2025 and the Police have filed chargesheet by including the Petitioner as Accused in CC No.21/2026, which is pending before Additional Civil Judge & JMFC, Sullia, D K District. The specific role

of the Petitioner is not mentioned in the chargesheet. There is no prima-facie case against the petitioner herein or there is any ingredients attracting the offences alleged against him in the above case. The facts of the above case are not sufficient to come to a prima-facie conclusion that, this petitioner has committed the above said offences alleged against him. The major discrepancy in the prosecution case itself is speaks in volumes about the falsity of the case entire articles are custody of the complainant. That the alleged offence 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 his release on bail and he is ready and willing to abide the conditions, which this court deems fit to impose under the circumstances of the above case. On these grounds, the petitioner prays to allow the above petition in the interest of justice.

3. The Learned Public Prosecutor has filed objections along with the report of the I.O. by interalia contending that, the petitioner has committed offences punishable u/Sec.4, 7 and 12 of Karnataka Prevention of Cow Slaughter and Cattle Preservation Act 2020 and Sec. 66, 192(A) of Indian Motor Vehicles Act, 1988. The offences alleged against him is heinous in nature. If the

petitioner is released on bail, he may commit similar crime in future also. The investigation conducted so far reveals that there is prima-facie case against the petitioner/accused. If he is released on bail, he may abscond or there are chances of destroying the evidence and he may not co-operate with the I.O., in proper investigation of the case. He may hamper the investigation and trial. 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. The learned counsel for the petitioner has produced some documents. Perused the same.

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 answer to the above points are as under:-

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 facing prosecution in Crime No.57/2025 of Subramanya Police Station, which has been registered against him for the offence punishable u/Sec.4, 7 and 12 of Karnataka Prevention of Cow Slaughter and Cattle Preservation Act 2020 and Sec. 66, 192(A) of Indian Motor Vehicles Act, 1988 on the basis of complaint given by the complainant. The case of the prosecution in brief is that on 18-11-2025, the complainant in Departmental Jeep bearing reg. No.KA-19-G-1031, along with police personnel, while on rounds duty within the police station limits, received information that some people were slaughtering cattle and selling meat at near Melmane of Muchchila, Chamundi mole of Panja, Aivathoklu village of, Sullia taluk. The complainant along with panchas has conducted raid at a shed in Chamundi corner of the Melmane, a small closed building, at around 16-05 hours, a man was cutting meat with a sword in his hand. The three people who were with him saw the complainant and others from a distance and ran away. When one person was arrested, upon enquiry, he has disclosed his name was Hamid and he further said that, along with him one Mustafa, Sharif, Zubair slaughtered a 3 year old bull with the intention of selling it and making a profit and was cutting the

meat in the building of Ashraf. Later, the said shed was inspected in the presence of Panchas and cattle meat and cattle head, legs, horns, jawbone and cattle waste were found at said place. The said meat was weighed on a scale and it was found that there was a total of 102.5 kg of meat, its estimated value could be around 25,500/- and seized the properties.

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. The averments contended in the petition of the petitioner/accused indicates that, the allegations made by the complainant needs to be enquired into in detail. The counsel for petitioner submitted in his application that the Accused No.1 by name Hamid has already enlarged on bail and Accused No.2, 3, 4 are enlarged on anticipatory bail in Crl. Misc. No. 5233/2025 and 5231/2025. Hence, on the ground of parity, the petitioner is entitled to bail. Hence, it is pertinent to note that, there is change of circumstances in this case. The documents produced by the petitioner show that he is the resident of address shown in the

cause title. Further, it is stated that he has got strong and permanent 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. 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.S., 2023 is hereby allowed.

Accordingly, in the event of arrest of the petitioner/accused in Crime No.57/2025 on the file of Subramanya Police Station, the investigating officer/ arresting officer

shall release him 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, Subramanya Police Station, within 20 days from today.***
- 2. He shall not tamper the prosecution evidence and threaten the prosecution witnesses directly or indirectly.***
- 3. He shall not commit/involve in similar type of offences in future.***
- 4. He shall appear before the Jurisdictional Court and furnish self bond and surety within 20 days from today.***
- 5. He shall produce his 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 6th day of June 2026).

(Sri. Sadananda Nagappa Naik)
V Addl. District and Sessions Judge,
D.K., Mangaluru, sitting at Puttur, D.K.