

KAHS010013832026



IN THE COURT OF I ADDL. DISTRICT & SESSIONS
& SPL JUDGE, AT: HASSAN

PRESENT

SMT. SHEILA B. M.

M.Com., LL.M,

**I Addl. District & Sessions &
Spl. Judge, Hassan.**

DATED THIS 1st DAY OF JULY 2026

SPL. CASE .No.40/2026

Petitioner/Accused No.1:

Ullas K.B S/o Basavaraju,
Aged about 23 years,
R/o Doddakanagal, Kandali Post,
Kasaba Hobli, Aluru Taluk.

(By Sri.DSM, Advocate)

//Vs.//

Respondent

The State of Karnataka,
Hassan Town Police,
(Rep.by Spl. Public Prosecutor Hassan)

Victim

Kiran S/o Thirumalaiah,
Aged about 25 years,

R/o Hoovinahalli Village,
Kasaba Hobli, Hassan Taluk,
Hassan.

ORDER ON BAIL PETITION U/SEC.483 of B.N.S.S

This is an application has been filed by the accused no.1 under section 483 of B.N.S.S to release him on bail for the offence punishable under section 103(1), 238, 61(2), 249, 189(2), 189(4), 304(2) r/w section 190 of BNS and under section 3(2)(v) of SC / ST Act.

2. It is stated that the Police have already filed charge sheet against the accused no.1. He is in JC from 10.12.2025. It is stated that as per the charge sheet CW3 is eye witness to the incident and CW5, CW6, CW7 and CW9 are incidental witnesses. There are no materials to prove that the alleged offence has been committed by him. He is a student and having aged parents and sisters. It is stated that he is innocent and has not committed any offences alleged in the complaint ; that the complaint is created and concocted story to harass the accused ; that he does not have any criminal background ; that he is law abiding citizen ; that the alleged offences are not punishable with death or life imprisonment ; that he is permanent resident of address shown in the cause title ; If he is not released on bail he will be put to greater

hardship ; that he is ready to offer surety to the satisfaction of the Court. He is ready to abide by any conditions imposed by this Court. Hence, prays to release him.

3. Learned Spl. Public Prosecutor has filed objection to bail petitions contending that bail petition is not tenable under law. He has reiterated contents of complaint, FIR and charge sheet materials. The evidence collected by IO through charge sheet materials has reasons to believe that this accused has committed the offence. The offences alleged are serious in nature. If he is released on bail, he may tamper prosecution witnesses, destroy prosecution evidence or abscond from jurisdiction of this court. There are no valid grounds to grant bail to this accused. Hence, prayed for dismissal of bail petition.

4. Complainant present before the Court and submits that bail should not be granted as his brother is expired.

5. Heard the arguments.

6. The following points arise for my consideration;

- 1) **Whether petitioner/accused No.1 has made out valid grounds for grant of bail order under section 483 of B.N.S.S. in this case?**
- 2) **What order ?**

7. My answer to above points are as under;

Point No.1:- In Negative

**Point No.1:- As per final order
for following;**

:REASONS:

8. **POINT NO.1:-** I have carefully gone through contents of bail petition, objection, charge sheet materials and other records. The complaint is lodged before Hassan Town Police and the case is transferred to the Dy.S.P., Civil Rights Enforcement Directorate, Hassan. The Dy.S.P., has filed charge sheet against the accused no.1 to 9 for the offences punishable under Section 103(1), 238, 61(2), 249, 189(2), 189(4), 304(2) r/w section 190 of BNS and under section 3(2)(v) of SC / ST Act.

9. The brief facts of prosecution case is that deceased Keerthi belongs to Schedule caste and the said fact is known to the accused persons. The accused no.1 to 6 and deceased Keerthi were acquainted.

On 07.12.2025 at 4.30 p.m CW6 has organized his brother's son naming ceremony at Puradamma temple. CW5, CW7, CW9, accused no.1 and deceased Keerthi attended the function. There some small quarrel took place between the accused and deceased Keerthi. On the same day at 10.30 p.m near Tea-shop, at Hassan New bus

stand quarrel took place between CW7 and CW9. At that time the accused no.1 and CW5 came and pacified the quarrel.

Thereafter on 08.12.2025 at 2.00 to 2.30 p.m CW5 to CW7 went to the Nisarga Peg Bar situated near Channapattana Circle for compromise in respect of quarrel which took place on 07.12.2025 at Tea-canteen. There CW9 and deceased Keerthi were present. Accused no.1 to 3 came there in Auto bearing No.KA-06-AA-7509. Accused no.1 quarreled with deceased Keerthi. Deceased Keerthi slapped accused no.1. The accused no.1 informed the same to accused no.4 through phone call and asked to bring accused no.5 and 6 along with him near Manjunatha Bar. The accused no.4 to 6 came in Auto bearing No.KA-13-D-8072.

Thereafter accused no.1 to 3 and CW5 to CW7 and CW9 went out from Nisarga bar. The accused no.1 to 3 abused deceased Keerthi, assaulted him by hands and brought him near Manjunatha Bar. The accused no.1 to 6 assaulted deceased Keerthi and stated it is public place and took him with them when leaving the spot. The accused no.1 and 4 were sitting on the back seat of the auto with deceased Keerthi in middle while accused No.6 was driving the auto No.KA-13-D-8072. The accused no.2, 3

and 5 followed them in another auto bearing No.KA-06-AA-7509 and went to wasteland situated beside Bypass road. The accused no.1 to 6 stopped the auto there and abused deceased Keerthi and assaulted him. In turn deceased Keerthi stated that they assaulted him as he is alone and told he will call rowdies to assault them. At that time the Accused no.1 to 6 formed an unlawful assembly with common object of killing Keerthi stating that if he is left alive, he will finish them. The accused no.1 to 6 conspired to commit the murder of the deceased Keerthi and assaulted him. While the accused no.1 to 6 were abusing and assaulted him CW3 owner of Auto bearing No.KA-13-D-8072 who had rented the said auto to Accused No.2 came to the spot and questioned them as to why they were assaulting Keerthi and intervened to pacify the quarrel. Thereafter, CW3 demanded return of his auto as accused No.2 had not paid the rental collections and attempted to take back the said auto. All the accused requested CW3 to drop them near Navil Spot. Accordingly accused no.4 and 6 and deceased Keerthi seated in the middle of the seat passed from the Bypass road on to the service road on the left, near Jain temple. CW.3 asked them to alight from the auto as he has to leave. The accused no.1 to 3 and 6 followed them in another auto no.KA-06-AA-7509 and took deceased

Keerthi to the wasteland in Sy.No.51 behind the Pavanaputhra Chicken Farm and abused him in filthy language, assaulted him by hands. At that time the deceased Keerthi attempted to make a phone call stating that he would not spare them. The Accused No.1 snatched his mobile phone, caught hold of his shirt assaulted him and he fell down on the ground. At that time the accused no.3 uprooted a stone pillar fixed in the land. Accused No. 4 broke the said stone into two pieces. Accused No.2 then took one of the stone pieces and forcefully threw it twice onto the chest of the deceased Keerthi. Thereafter, Accused No.1 took the same stone and assaulted deceased on his chest, causing grievous bleeding injuries and thereby committed his murder at about 4:00 PM. In order to destroy the evidence the accused no.1, 3 and 4 took the blood stained stone and threw it into a nearby shrub. Thereafter the accused no.1 came to the murder spot and took a selfie with a dead body on his mobile and forwarded to the accused No.7, 8 and CW.38. Subsequently, the video was circulated on the social media. The accused no.9 harbored and assisted accused no.2, 3, 4 and 6 providing them with the meals to abscond from legal proceedings.

10. On perusal of the materials on record it discloses that the accused no.1 had been arrested on 10.12.2025, interrogated and produced before the jurisdictional court on 10-12-2025 and thereafter he has been remanded to JC.

11. The counsel for the accused no.1 in his written arguments has reiterated the averments of the bail petition. Further it is stated that the deceased Keerthi is a rowdy sheeter and involved in many other criminal cases. The accused no.1 is a student. He is a Auto driver and earns his livelihood. He did not made any Whatsapp video call and there is no eye witness to the murder of deceased keerthi. He is falsely implicated in this case. The Police on the basis of evidence of created incidental witnesses wrongly implicated the accused no.1 in this case.

No documents has been produced by the accused to corroborate his contention to that he is a student.

12. On perusal of the objection of the IO it discloses that based on the voluntary statements of accused persons, the accused no.1 along with accused no.2 and 4 with an intention to destroy the evidence threw the blood stained stone into the bushes. Again he along with accused no.2 came near the dead body and took selfy with dead body and made it viral. Further stated as per the 164 statement of CW3, CC TV footages and other evidences discloses

the involvement of the 1st accused in the commission of alleged offences.

13. The Post mortem report discloses that the death is due to blunt, chest injury sustained. It also discloses that the deceased has sustained 17 external injuries. The opinion of the Doctor discloses that it is possible to sustain such chest injuries mentioned in the PM report with the weapon examined (rock) and such injuries can lead to death.

14. The statement under section 183 of BNSS of Suchith who is cited as CW3 discloses that he is owner of the auto bearing KA-13-D-8072 that he had given the Auto to Charan / accused no.2 on rent. The said Charan for last one week had not paid the rent properly and when he contacted Charan, he told him to come near Midhan District Court, Channapattana Colony. When he went there he found his auto and the auto of one R.C.Chandu stationed. Ullas, Charan, Theertha, R.C.Chandu and Bekary Chandu were all assaulting Keerthi and he rescued Keerthi. He told Charan to pay rent regularly and he took his auto. At that time Theertha told that he would come with him along with him Bakery Chandu and Keerthi also came. He dropped them near Jain temple and returned to

his home. In another vehicle R.C.Chandu, Charan, Pavan and Ullas had followed his auto.

15. The statement of CW3 discloses that accused no.1 to 6 were last seen together with the deceased. The voluntary statement of accused No.5 Pavan and Bakery Chandu accused No.6 after crime discloses that Pavan walked ahead and went on the road in front of S.A. Enterprises. Then Bakery Chandu and Theertha came in auto shortly after they arrived, Ullas, Charan and R.C.Chandu walked and came near the main road.

16. As per the list of property no.138/2025 dated 9.12.2025 CCTV footage has been retrieved in Pen-drive from S.A. Enterprises, Bypass road, Hassan. The said Pen-drive has been sent to FSL and has not been received back from FSL at the time of filing the charge sheet. The I.O. copy of Pen-drive was seen and it discloses that accused No.5 Pavan had walked ahead in front of S.A. Enterprises. Then Ullas, Charan and R.C. Chandu had walked. An Auto Rickshaw is also seen in the footage. It is stated Bakery Chandu was a driver and Theertha are in the said auto which is not clearly visible. This indicates that accused Nos.1 to 6 have prima-facie participated in the commission of the crime.

17. On 10.12.2025 Mahazar has been drawn regarding the seizure of Mobile and cloths (green / white colour half sleeves Round neck T shirt and Cement blue Jeans pant) worn by accused no.1

18. On 10.12.2025 Cement blue Jeans pant with blood stains worn by accused no.1 and stone was seized by the prosecution. The IO has sent the stone Control Swab and suspected blood stained swab collected on stone for chemical analysis to FSL. FSL report discloses that the blood sample in article no.15 and 26 was of human O group. Acknowledgment given RFSL discloses that accused Ullas produced one Jeans pant which is IO mark 26, smart code.SWVEAMFB and suspected blood stained swab collected on stone IO Mark 15, Article smart code.GUE2AV5M PWXHYQ7. As per FSL report Article no.15 and 26 were stained with human O group blood, which means the clothes of the accused are stained with blood of the deceased.

19. The case appears to be based on circumstantial evidence. From the material available on record there is prima-facie case to believe that the accused no.1 has committed the offence. The offences alleged U/s 103(1) of BNSS is punishable with imprisonment for life or death and fine. Mere filing of the charge sheet is itself is not a

ground to grant regular bail to this accused for the reasons stated above. If this accused is enlarged on bail, he may abscond and there is every chance of tampering prosecution witnesses. Deceased is a member of scheduled caste. The accused No.1 has not made out valid and satisfactory grounds to grant regular bail to him. This court is not exercising discretion to grant regular bail to this accused in view of seriousness of crime, gravity of offence and possibility of tampering prosecution witnesses. Hence, I am of the view that the accused no.1 is not entitled for bail. ***Accordingly, I answer point No.1 in Negative.***

20. **POINT NO.2:-** In result, I proceed to pass following;

ORDER

The bail application filed by the accused no.1 under section 483 of BNSS., is hereby dismissed.

(Dictated to Stenographer, transcript corrected and signed and then pronounced by me in open court on 01st day of July 2026.)

01.07.2026

(SMT. SHEILA B.M.)
I ADDL.DISTRICT AND SESSIONS &
SPL. JUDGE, HASSAN.