

**IN THE COURT OF LXXI ADDL. CITY CIVIL &
SESSIONS JUDGE, BENGALURU CITY (CCH-72)**

DATED THIS THE 6th DAY OF MAY, 2026

PRESENT:

**Sri. KRISHNAMURTHY J B,
B.A, LL.B, PGDHRM**
LXXI Addl. City Civil & Sessions Judge,
Bengaluru.

Crl.Misc.No.4131/2026

Petitioner:	Pritham Aiyappa Chakkera Poonacha, S/o Late Chakkera Poonacha, Aged about 45 years, Resident of Brigade Lavelle I Apt 101, 7 th Cross, Shanthala Nagar, Bengaluru. (By Sri. Arun Govindaraj, Adv.)
AND	
Respondent:	State of Karnataka, By High Ground P S, Bengaluru. (By the Learned Public Prosecutor)

ORDER ON BAIL APPLICATION FILED U/S.482
OF BNSS

This bail application is filed by the petitioner under Section 482 of BNSS praying to grant an order of anticipatory bail in the event of his arrest in the complaint filed by **Smt. Neelima Kariappa M**, before respondent police alleging for the offence punishable **U/s. 318(2), 316(2), 85, 335, 336(2), 336(3), 337 of BNS.**

2. The gist of the petition is that petitioner and complainant are husband and wife and due to matrimonial dispute, petitioner filed divorce petition and furnished incorrect address in the proceedings with an intent to commit fraud and obtain a decree of divorce in malafide manner. Complainant filed a complaint before respondent police on 13.04.2026 and they have issued Notice to the petitioner to appear before them for enquiry.

3. Based on the said complaint the respondent police said to have calling upon the petitioner to appear for enquiry. It is against this complaint, the petitioner being husband of the complainant, apprehending arrest by the respondent police has preferred this bail petition seeking anticipatory bail on various grounds.

4. In pursuance of the notice issued from this court, the learned Public Prosecutor entered appearance and filed her objections to the said bail petition, pertaining to the said case on hand and prayed to reject the said bail application on various grounds.

5. On going through the papers and on hearing the arguments of both the sides, the points that arise for my consideration are:

1. Whether the petitioner has made out sufficient grounds to grant anticipatory bail ?

2. What order?

6. My finding on 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:** It is the argument of learned counsel for the petitioner that the petitioner is innocent of the offences alleged against him and he has been falsely implicated in the case only to harass him.

8. Further it is his argument that respondent police have making phone calls to the petitioner and pressurizing him to appear before them for enquiry. It is contended that the petitioner is permanent resident of Bangalore and hails from respectable family and is ready and willing to abide by any of the conditions that may be imposed by this court in the event he is granted bail.

9. Per contra, learned Public Prosecutor argued that as this is an offence committed against woman involving physical and mental cruelty, the bail application filed by the petitioner is liable to be rejected in so far as it will send a wrong signal to the society and endanger the safety and security of women. Further submitted that no case is registered before the respondent police for the offences alleged by the petitioner and prays to reject the bail application.

10. In the backdrop of the above said argument and counter argument and on perusal of the records, it can be gathered that the respondent police have received a complaint filed by the complainant against the petitioner and have issued notice to the petitioner calling him to appear for counseling. From the above it is clear that the complainant being the wife of petitioner has approached the respondent police with

a complaint alleging mental and physical harassment against petitioner. Hence there is a strong apprehension of arrest in so far as petitioner is concerned.

11. The petitioner being the husband of the complainant would naturally apprehend danger from the respondent police. The petitioner has sworn to an affidavit regarding the contents made in the petition. At the outset it can be said that there exist a matrimonial dispute between the petitioner and the complainant and the same is being enquired by the respondent police. At this stage, it cannot be said that the respondent police will not arrest the petitioner.

12. It is settled principle of law that, registration of FIR is not mandatory for considering the bail application U/s. 482 of BNSS and mere apprehension is sufficient to maintain the bail petition. Further looking to the fact that petitioner is the husband of

the complainant, this court opines that he deserve to be enlarged on anticipatory bail and this is more so when he is ready and willing to abide by any of the conditions that may be imposed by this court. Further, the apprehension of the prosecution can be allayed by imposing suitable conditions. Therefore, I answer this point in the **affirmative**.

13. Point No.2:- For the reasons discussed and stated supra, I proceed to pass the following:

ORDER

The petition is allowed with conditions.

The petitioner shall be enlarged on bail, in the event of his arrest by the respondent police on the complaint filed by the complainant **Smt. Neelima Kariappa M** on he executing personal bond for Rs. 50,000/- with a surety for the like sum to the satisfaction of the arresting authority subject to the following:

CONDITIONS

1. The petitioner shall appear before the police/or any other authorities if he is called for enquiry/conciliation.
2. He shall not tamper with the evidence and threaten the prosecution witnesses in any manner.
3. He shall cooperate with the investigating officer for the purpose of investigation, as and when required.
4. He shall execute personal bond with a surety as ordered above without fail if called for.

It is made clear that this bail order shall be in force for the period of three months from the date of this order.

*(Typed to my dictation by the Stenographer directly on the computer, corrected by me and then pronounced in open Court on this **the 6th day of May, 2026**)*

(KRISHNAMURTHY J B)
LXXI Addl. City Civil & Sessions Judge
Bengaluru.