



**IN THE COURT OF II ADDL.DISTRICT AND SESSIONS
JUDGE, KODAGU-MADIKERI
SITTING AT VIRAJPET**

Present: Sri. S. NATARAJ., B.A.L., LL.B.,
II Addl.District and Sessions Judge,
Kodagu-Madikeri, Sitting at Virajpet.

DATED THIS THE 19th DAY OF JUNE 2026

Crl.Misc.No.5105/2026

Petitioner: Pushpa Nagaraj V. N.,
W/o Nagaraj,
Aged: 69 years,
R/o Hebbale,
Devarapura Village,
Ponnampet Taluk,
Kodagu District.

(By Sri. Jancy D R, Advocate,)

V/S

Respondent: The State of Karnataka,
Range Forest Officer,
Thithimathi, Ponnampet.

(By learned Public Prosecutor)

ORDERS

This petition is filed by the petitioner/accused
under Section 482 of BNSS read with Section 438 of
CrPC seeking anticipatory bail in FOC No. 1/2026-27 on

the file of Range Forest Officer, Thithimati Range, for the offences punishable under Section 62, 80, 104A of KF Act, Section 127A, 144A with 165 of KF Rules.

2. Petitioner case is that, she is innocent and has been falsely implicated in the case. She contended that she is a permanent state of address shown in the cause title, is an aged person, and is not an habitual offender. It is further contended that she has no criminal antecedents. The alleged offences are not punished with a death or life imprisonment. The petitioner undertake to co-operate with the investigation and abide by any conditions imposed by the court. She is apprehending arrest in a non-bailable offence from the respondent police. Hence she has sought for grant of anticipatory bail.

3. The Learned Public Prosecutor has filed objections reiterating the complaint allegations, contending that the petition is not maintainable. The investigation is still in progress. The petitioner has committed a forest offence

by illegally cutting and transporting forest timber. If the anticipatory bail is granted, there is every possibility of petitioner absconding and tamper with prosecution witnesses. Hence, the prosecution has prayed for dismissal of petition.

4. Heard arguments of counsel for petitioner and learned Public Prosecutor. Perused the records.

5. The points that arise for my considerations are as under:-

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

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 allegations in the complaint are that permission was granted to cut three Bete trees

standing in the land of one Pushpa Nagraj, situated in Survey No. 100/27 of Hebbale Village for self-use. The complainant and forest staff inspected the place where the trees were permitted to cut. During inspection, only stems of the trees were recovered and converted timber was not available at the spot. Out of the permitted trees, only small wood pieces and bark fragments were recovered. It was suspected that the timber had been recovered from the place. Thereafter, inspection was conducted near the petitioner's house and certain Bete wood logs were allegedly recovered and stored in coffee plantation area. Based on said allegations, the present case came to be registered.

8. At this stage, investigation is still pending. The allegations mainly relate to illegal cutting and transportation of timber. The offences alleged are not punishable with death or life imprisonment. The petitioner is stated to be a permanent resident and there are no materials placed before the court

to show that she has criminal antecedents. The presence of the petitioner for investigation can be secured by imposing suitable conditions. Having regard to the nature of allegations, the stage of investigation, and the facts and circumstances of the case, this Court is of the opinion that the petitioner can be granted anticipatory bail subject to conditions. Accordingly point No.1 is answered in the ***Affirmative.***

9. **Point No.2** :- In view of findings on point No.1, I proceed to pass the following:-

ORDER

The petition filed by the petitioner Pushpa Nagaraj V. N., under Section 482 of BNSS, read with Section 438 of CrPC is hereby **allowed**.

In the event of arrest of petitioner in FOC No. 1/2026-27 of RFO, Thithimati Range, she shall be released on anticipatory bail subject to following;

::CONDITIONS::

1. The petitioner shall execute a personal bond for a sum of

₹1,00,000/- with one surety for like sum to the satisfaction of the Investigating Officer.

2. The petitioner shall appear before the Investigating Officer within 15 days from the date of this order and execute necessary bond.
3. The petitioner shall co-operate with the investigation and shall appear before Investigating Officer whenever called upon for investigation.
4. Petitioner shall not threaten, induce or tamper with prosecution witnesses directly or indirectly.
5. The petitioner shall not involve himself in any other offence of similar nature during pendency of case.

Violation of any of the above conditions shall entitle the prosecution to seek cancellation of bail.

(Dictated to the Typist, and after correction pronounced by me in the open Court on this the **19th day of June 2026**).

(S.NATARAJ)

II Addl.District and Sessions Judge,
Kodagu-Madikeri, Sitting at Virajpet.