



**IN THE COURT OF III-ADDITIONAL DISTRICT AND
SESSIONS JUDGE AT KOLAR
(SITTING AT K.G.F.)**

Dated this 17th day of June-2026

:: PRESENT ::

SHRI. SHIVAKUMARA. B.

B.A., LL.B.,

III-Additional District & Sessions Judge,
Kolar, (Sitting at K.G.F.)

CRL. MISC. NO.467/2026

PETITIONER/S:

- 1. Padeyappa @ Velu,**
S/o. Stanley,
Aged about 23 years,
- 2. Basha @ Rooban,**
S/o. Stanley,
Aged about 27 years,
- 3. Sanjay @ Rajendran,**
S/o. Stanley,
Aged about 26 years,
- 4. Arogyadass @ Baba,**
S/o. Stanley,
Aged about 26 years,

All are R/at. Lourdu Nagara,
Andersonpet Post, KGF-563113.

(Rep: by **Sri. B.M.V. Adv.**)

- V/s -

RESPONDENT:

State by:

Andersonpet Police, KGF.

(Rep: by **Learned P.P.**)



**ORDER ON BAIL PETITION FILED UNDER SECTION.482
OF B.N.S.S.-2023**

The petitioners/accused No.1 to 4 have filed this bail petition seeking their enlargement on anticipatory bail in Crime No.53/2026 of Andersonpet police station, for the offences punishable under Section.132, 352 R/w. Section.3(5) of BNS-2023.

2. The brief facts of the case are that:

On 17.05.2026 at about 11.40 a.m., while the complainant – PSI of Andersonpet police station was on duty in the police station, he received credible information that the absconding accused No.2 against whom the criminal case was registered in Crime No.51/2026 for the offences punishable under Section.308(2), 308(3), 352, 351(2) R/w. Section.3(5) of BNS-2023, was staying in the St' Joseph Church Compound, Susaipalyam within the limits of Andersonpet police station, KGF. Then immediately the complainant – PSI along with other police staff of the said police station including probationary PSI went to the said spot at about 11.50 a.m.. At that time, the accused No.2 was found in the compound wall of the said Church. Then, the complainant PSI asked the accused No.2 to come to the police station for conducting enquiry in the above said case registered against him. At that time, the accused No.2



picked-up quarrel and abused the complainant in filthy words by using vulgar language by showing his finger towards the complainant. When, the complainant told the accused No.2 not to talk like that, then the accused No.1 Stanly also abused the complainant in filthy words by using vulgar language in Tamil and tried to escape from the spot from behind the said Church and on seeing the police staff standing behind the Church, he made attempt to escape from the main gate of the church. Again, the accused No.1 along with his family members and children who are accused No.2 to 5 also abused the complainant in filthy words by using vulgar language and pushed them in preventing the arrest of the accused by name Stanly. However, the complainant with the help of his staff had caught hold of accused by name Stanly from the spot and the remaining accused persons were escaped from the spot. Thereby, all the accused persons used criminal force and deterred the police officials in order to prevent in arresting the accused Stanly while discharging their duty as public servants. Accordingly, the criminal case was registered in Crime No.53/2026 of Andersonpet police station, for the offences punishable under Section.132, 352 R/w. Section.3(5) of BNS-2023.

3. The grounds urged by the petitioners are as follows:



The petitioners are absolutely innocents of the alleged offences and they are nothing to do with the said crime. At no point of time, the petitioners neither directly, nor indirectly having any nexus with the complainant. The petitioners are law abiding citizens and they are teenagers and studied in different institutions. The petitioners are permanent residents of the address as mentioned in the cause title of the bail petition. The concerned police harboring ill-will and animosity against the petitioners and intending to disturb the ensuing marriage. Hence, the concerned police are intending to arrest the petitioners and parade them in the public. The petitioners apprehending their arrest by the police, hence, they are seeking anticipatory bail. There is no any whisper or overt-act attributed aby them for their involvement. The involvement of the petitioners in the alleged crime is nowhere stated in the entire averments of the statement. The allegations averted by the respondent police is a telltale, afterthought, unnatural, unfair, imaginary and artificial; as such, bereft of spontaneity, no credence could be given to the prosecution. The petitioners undertake to appear before the court on all the date of hearing and they will not tamper or hamper the prosecution witnesses in any manner. The petitioners will not flee away from this court while enlarging



them on anticipatory bail till disposal of the case. The alleged offences are not exclusively triable by this court which are not punishable with death or imprisonment for life and the same are exclusively triable by the learned Magistrate. The petitioners are ready to abide by the conditions that may be imposed by this court and they are ready to furnish surety for their release on bail. Hence, this petition.

4. **Per-contra**, the Learned Public Prosecutor has filed objection to the said bail petition by contending that the investigation is still under progress and Investigating Officer has collected some important materials which prima-facie reveal that, the petitioners/accused No.1 to 4 have committed heinous offences which are punishable with imprisonment for a period of 10 years and also with fine and the said offences are non-bailable in nature. Under such circumstances, if, the petitioners/accused No.1 to 4 are granted bail, there may be chances of threatening the prosecution witnesses, destroy the evidence and may jump out of the bail and also chances of committing similar offences. Viewed from any angle, the bail petition filed by the petitioners is not tenable and same is liable to be rejected.



5. Heard arguments on both sides and perused the records.

6. The points that arise for my consideration are as follows:

POINTS

1. Whether, the bail petition filed by the petitioners/accused No.1 to 4 under Section.482 of BNSS-2023, deserves to be allowed?

2. What order?

7. My findings on the above said points are as follows:

Point No.1: In the **Negative**

Point no.2: As per the final order,
for the following

REASONS

8. **POINT NO.1:** Both Learned counsel for the petitioners/accused No.1 to 4 as well as the Learned Public Prosecutor have reiterated the averments of bail petition and also objection filed thereto in their arguments.

9. As discussed above, as per the version of Learned counsel for petitioners/accused No.1 to 4, they are innocents of alleged offences, they never committed any such offences as alleged against them. The complainant



police harboring ill-will and animosity against the petitioners, this false case has been registered against them which is telltale, afterthought, unnatural, unfair, imaginary and artificial one and no credence could be given to the prosecution. On the other hand, as per the version of prosecution, the investigation is still under progress and statement of witnesses has to be recorded and other material and documentary evidence also to be collected by the I.O. The offence alleged against the petitioners/accused No.1 to 4 are punishable with imprisonment for a period of 10 years and also with fine which is non-bailable in nature; therefore, if, the petitioners are released on bail, there may be chances of absconding, hampering or tampering the complainant as well as prosecution witnesses.

10. It is to be noted that during pendency of this petition, the learned counsel for the petitioners filed memo of withdrawal of petition in respect of petitioner No.2/accused No.3 as he was arrested by the concerned police and accordingly, the said memo was accepted and dismissed the petition filed on behalf of the petitioner No.2/accused No.3. Therefore, the petition filed by the petitioners No.1, 3 and 4 is only pending for consideration.

11. It is significant to note that the contents of complaint



and FIR, objection filed by the prosecution along with I.O. report which clearly disclose that when the complainant and his staff including the probationary PSI, on credible information went to the said place to arrest the accused No.1 Stanly in the present case against whom the criminal case was registered in Crime No.51/2026 in the said police station, went to arrest him, this accused No.1 along with other accused persons prevented and deterred the complainant and other police officials from arresting the accused No.1 Stanly in the present case and all the accused persons forcibly pushed the complainant while discharging his duty as public servant and also abused in filthy words by using vulgar language. Under such circumstances, considering the facts of the case, gravity of offences, objection of the prosecution along with I.O. report, material available on record and also for the aforesaid reasons, I am of the opinion that this is not a fit case to exercise discretionary in granting anticipatory bail to the petitioners No.1, 3 and 4. Viewed from any angle, the present bail petition filed by the petitioners No.1, 3 and 4 is not tenable and same is liable to be rejected. Accordingly, I answered the above said **Point No.1** is in the **Negative**.

12. **POINT NO.2:** In view of my findings on the above said Point No.1, I proceed to pass the following:



ORDER

Crl. Misc. No.467/2026 filed by the petitioners No.1, 3 and 4 under Section.483 of BNSS-2023, is **Rejected**.

*(Dictated to the Stenographer, transcribed by him, revised, corrected and then pronounced by me in the open Court on this **17th day of June-2026**)*

(SHIVAKUMARA. B)

III-Addl. District & Sessions Judge,
Kolar (Sitting at K.G.F.)