



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

:: PRESENT ::

SHRI. SHIVAKUMARA. B.
B.A., LL.B.,
III-Additional District & Sessions Judge,
Kolar, (Sitting at K.G.F.)

Dated this 25th day of June-2026

SC. NO.84/2026

COMPLAINANT: State by:
Bethamangala Police Station.
(Rep: by Learned **P.P.**)
- V/s -

ACCUSED: 1. **Chiranjeevi**
(Rep: by **Sri. M.T.A.. Adv.**)

**ORDER ON BAIL APPLICATION FILED UNDER SECTION.483
OF BHARATIYA NAGARIKA SURAKSHA SANHITA (BNSS)
2023**

The accused No.1 has filed this bail petition seeking his enlargement on regular bail in Crime No.50/2025 of Bethamangala Police Station, for the offences punishable under Sections.352, 109 R/w. Section.3(5) of Bharatiya Nyaya Sanhita-2023.



2. The brief facts of the case are that:

On 19.04.2025 at about 4.30 p.m., when the complainant was staying in his landed property along with cows, at that time, both accused No.1 and 2 came with TVS XL Vehicle and the accused No.2 caught hold of the complainant and abused him in filthy words by using vulgar language and asked the complainant as to why he is looking his wife. Then, the accused persons tried to assault CW.1 by blowing with a iron long on his neck but, the same was hit on the left shoulder of CW.1 and caused bleeding injuries; when, CW.1 fell on the ground, then accused No.1 also assaulted on his left thigh by means of the same iron long and accordingly, both the accused No.1 and 2 assaulted the complainant by means of iron long and attempted to commit murder. Accordingly, the criminal case was registered in Crime No.50/2025 of Bethamangala Police Station and also filed charge sheet against the accused persons for the offences punishable under Sections.352, 109 R/w. Section.3(5) of Bharatiya Nyaya Sanhita-2023.

3. The grounds urged by the accused No.1 are as follows:

The complainant police have registered a false case against the accused persons for the alleged offences. The accused No.1 is innocent of the alleged offences and he is not at all connected



with the said offences. He has been falsely implicated by the complainant police. Absolutely, there is no material to suspect the involvement of the accused No.1 in the said crime. The alleged offences are not at all punishable with death or imprisonment for life. The petitioner is permanent resident of Bethamangala, KGF Taluk, Kolar District. The accused No.1 is having family and he is only the earning member to feed all of their family members for their livelihood. If, he remained in judicial custody, his and his entire family members will be put to great hardship and injury which cannot be compensated at any manner. The accused No.1 is ready to furnish surety for his release on bail and he is ready to abide by the terms and conditions that may be imposed by this court. Hence, this bail application.

4. **Per-contra**, the Learned Public Prosecutor has filed objection to the bail application by contending that, the complainant police have submitted charge sheet against the accused No.1 and another accused for the offences punishable under Sections.352, 109 R/w. Section.3(5) of Bharatiya Nyaya Sanhita-2023. Accordingly, the case has been registered before this court, which is pending for trial. The offences alleged against the accused No.1 and another accused are non-bailable in nature and punishable with imprisonment for life or



imprisonment for a period of 10 years and also with fine. Therefore, if, the accused No.1 is enlarged on bail, there may be chances of absconding, hampering or tampering the prosecution witnesses. Viewed from any angle, the bail application filed by accused No.1 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 application filed by the accused No.1 under Section.483 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 **Affirmative**

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

REASONS

8. **POINT NO.1:** Both counsel for the accused No.1 and Learned P.P. have reiterated the averments of bail application and also objection filed thereto in their arguments.



9. As per the version of the counsel for the accused No.1, the accused No.1 is innocent of the alleged offences. The alleged offences are non-bailable in nature which are triable by this court. He is not at all connected to the alleged offences and he has been falsely implicated by the police in this case. On the other hand, as per the version of Learned Public Prosecutor, the accused No.1 along with another accused has committed the alleged offences which are non-bailable in nature and punishable with imprisonment for a period of 10 years and also with fine. If, the accused No.1 is enlarged on bail, there may be chances of absconding, hampering or tampering the prosecution witnesses.

10. It is pertinent to note that, on perusal of records which depict that, earlier accused No.1 had filed bail petition in CrI. Misc. No.433/2025 before this Court. Accordingly, this Court has already granted regular bail dated: 10.06.2025 by imposing certain conditions. After filing of charge sheet, the Learned I-Addl. Senior Civil Judge & JMFC at KGF, has committed the matter to this court for trial, since, the offence punishable under Section.109 of BNS-2023, is exclusively triable by this court of Sessions. The only apprehension of the prosecution is that if, the accused No.1 is enlarged on bail, there may be chances of absconding, threatening, hampering or tampering



the prosecution witnesses and also chances of committing similar offences. Under such circumstances, considering the facts of the case, material available on record and considering the objection filed by the Prosecution and also for the aforesaid reasons, I am of the opinion that if, the accused No.1 are enlarged on regular bail by imposing stringent conditions, it would meet the ends of justice. Accordingly, I answered the above said Point No.1 is in the **Affirmative**.

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

ORDER

Bail Application filed by the accused No.1 under Section.483 of BNSS-2023, is **Allowed**.

The accused No.1 is enlarged on bail in Crime No.50/2025 of Bethamangala Police Station, for the offences punishable under Sections.352, 109 R/w. Section.3(5) of Bharatiya Nyaya Sanhita-2023, on executing his personal bond for a sum of Rs.1,00,000/-, with one surety for the like-sum, subject to the following;



CONDITIONS

1. The accused No.1 shall not hamper or tamper with the prosecution witnesses or evidence in any manner.
2. The accused No.1 shall not directly or indirectly indulge in similar type of offences in future.
3. The accused No.1 shall appear before the court on all the dates of hearing without fail.
4. Breach of any of the conditions shall entail the cancellation of bail.

*(Dictated to the Stenographer, transcribed by him, revised, corrected and then pronounced by me in the open Court on this **25th day of June-2026**)*

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