

KAKL010015102026



Presented on : 29-05-2026
Registered on : 29-05-2026
Decided on : 04-06-2026
Duration : 7 days

**IN THE COURT OF PRINCIPAL DISTRICT AND
SESSIONS JUDGE AT KOLAR**

DATED THIS THE 4TH DAY OF JUNE 2026

PRESENT

SHRI V.M. ANANDASHETTI
PRINCIPAL DISTRICT & SESSIONS JUDGE, KOLAR

Crl.Misc./448/2026

PETITIONER:

Afrin Bhanu W/o. Syed Zabi,
Aged about 23 years,
R/o. Jamal Sha Nagar,
Kolar Town, Kolar District.

(Reptd. by **Sri. Divakar.S,**
Advocate)

VERSUS

RESPONDENT:

State of Karnataka represented by
Sub Inspector of Police,
Women Police Station, Kolar.

(Reptd., by **Sri.Madhav Padmanabh Gaonkar,**
Public Prosecutor)

ORDER

Apprehending her arrest the petitioner, who is the
accused No.2 in Cr.No.53/2026 of Women Police Station,

Kolar, registered for the offences punishable under Sections 85, 351(2), 352 and 108 r/w Section 3(5) of BNS, has invoked the jurisdiction of this Court under Section 482 of BNSS praying to release her on bail in the event of her arrest in the above case.

2. The learned Public Prosecutor has filed objections.

3. According to prosecution the deceased is the wife of accused No.1. The present petitioner/accused No.2 is neighbour to accused No.1 and is said to be his paramour. The marriage of deceased with accused No.1 was celebrated about 11 years ago. The accused No.1 used to ill-treat the deceased since marriage and was not taking care of family. He developed illicit intimacy with accused No.2 and further neglected the deceased and his children. About 15 days prior to the incident both the accused had been away and in that regard a case was registered at Kolar Women Police Station. Despite admonition both the accused continued the illicit affair and for the said purpose accused No.1 allegedly used to compel the deceased to give him divorce. This petitioner/accused No.2 is alleged to have instigated the deceased to commit suicide, so that she could live happily with accused No.1. On account of such ill-treatment by both the accused the deceased committed suicide on 11.05.2026 by consuming poison and died on 17.05.2026. Hence, on 17.05.2026 FIR is lodged.

4. Heard.

5. The learned counsel for the petitioner submitted that the petitioner is also a woman and the allegation attributed to her would not be sufficient to constitute instigating the deceased to commit suicide. There is vagueness as to when the petitioner allegedly instigated thus. She has strong roots in the society and would cooperate with investigation. Thus, he prayed to release the petitioner on bail.

6. Opposing the bail application the learned Public Prosecutor submitted that on account of instigation by the petitioner the deceased has committed suicide. There is direct nexus between the commission of suicide by the deceased and the act of petitioner. The offence is serious in nature. The investigation is still in progress and if released on bail, the petitioner may tamper with prosecution case. Thus, he prayed to reject the bail application.

7. Perused the materials on record. It is alleged that this petitioner used to abuse the deceased in filthy language and instigated her to die so that she could live happily without any obstruction. The deceased attempted to commit suicide on 11.05.2026 by consuming poison and resultantly died on 17.05.2026. When the alleged instigation took place prior to death of deceased is not

specifically stated. In order to know the said allegation being the proximate cause for commission of suicide by the deceased, the date and time of such instigation is material. That apart whether by such words the petitioner really intended death of deceased is a matter that requires to be thrashed out during trial. Whether in the circumstances of the case such instigation left no other option to deceased but to commit suicide is also a question to be decided after trial. The petitioner is also a woman. She undertakes to abide by the conditions to be imposed by this Court. Hence, I am of the opinion that discretion could be exercised in favour of petitioner. The apprehension of prosecution could be addressed by imposing conditions. Hence, I proceed to pass the following;

ORDER

The bail application is allowed.

In the event of her arrest in Cr.No.53/2026 of Women Police Station, Kolar, the petitioner/accused No.2 is directed to be released on bail, subject to following conditions;

1. She shall execute personal bond and offer a surety for Rs.50,000/-.
2. She shall cooperate with investigation and shall not tamper with prosecution case.

3. The petitioner shall surrender before the I.O., within 10 days from today and on such surrender she shall be released on bail.

(Dictated to the Stenographer, transcribed and computerized by him, revised, corrected and then pronounced by me in the open Court on this the **4TH DAY OF JUNE 2026**).

(V.M. ANANDASHETTI)

PRL. DISTRICT & SESSIONS JUDGE, KOLAR.

Vsr/-*