



**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 28th day of JUNE-2025

SC. NO.94/2025

COMPLAINANT: State by: **BEML Nagar Police Station.**
(Rep: by Learned **P.P.**)

- V/s -

ACCUSED: **G. Mani, (A1)**
S/o. Gurappa @ Guruswamy,
Aged about 42 years,
R/at. Kammasandra Village & Post,
KGF Taluk.
(Rep: by **Sri. K.R.V. Adv.**)

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

Accused No.1 has filed this bail petition seeking his enlargement on regular bail in Crime No.78/2024 of BEML Nagara Police Station for the offences punishable under Section.103(1), 108 of BNS-2023.



2. **The brief facts of the case are that:**

The daughter of the complainant i.e., accused No.2 against whom the abatted charge sheet is filed, was given in marriage to the accused No.1 about 20 years back and marriage was performed at Kotilingeshwara Temple, Kammasandra. Due to their wedlock, both accused No.1 and 2 had blessed two children by name Mounisha and Nithin who were studying in a school. The complainant was working as a Watchman. When such being the facts, on 21.12.2024, the complainant dropped his two grand-children to the school and on the next day i.e., on 22.12.2024 at about 5.00 p.m., the complainant went to the house of his daughter i.e., accused No.2 Triveni and took the grand child Mounisha to his house. At that time, the said grand child Mounisha told the complainant that, her both parents i.e., accused No.1 and 2 used to quarreling with each other and accordingly, her father accused No.1 assaulted the accused No.2 saying that, ***you go and die***. Then, on 25.12.2024 at about 8.00 a.m., while he was on duty as a Watchman near AGAPE School, one person by name Abhi S/o. Chinnappaiah resident of Kadiregowdanakote informed the complainant that, his daughter Triveni was suffering from ill-health and then immediately, the complainant went near the house of accused No.2 and at that time, the villagers were gathered at the spot.



Then, he found the dead body of his daughter i.e., accused No.2 laying on the floor and also found the dead bodies of his grand-children by name Mounisha and Nithin laying on diwan cot. Then, he learnt that, on 24.12.2024 during the night hours, the accused No.2 Triveni had caused the death of her two children by hanging them and thereafter, she also committed suicide by hanging herself. Since, the accused No.1 told the accused No.2 by using the word **go and die**, she got hanged her two children and then she also committed suicide by hanging herself. Accordingly, the complainant has lodged the complaint against the accused No.1 and 2 saying that, the accused No.1 being his son-in-law had caused the death of his daughter and his two grand-children, on which basis, criminal case was registered in Crime No.78/2024 for the offences punishable under Section.103(1), 108 of BNS-2023.

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

The accused No.1 is innocent of the alleged offences and not committed any offences as alleged against him. The accused No.1 is having aged parents. If, he is not released on bail, his entire family will be put to great hardship and injury. The alleged offences are not punishable with death sentence. Earlier, the accused No.1 was on bail before the trial court. The



accused No.1 is ready to abide by any terms and conditions that may be imposed by this Court while granting bail. The accused No.1 undertakes to appear before the court on all the future dates of hearing without fail. 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 for the offences punishable under Section.103(1), 108 of BNS-2023. Accordingly, the case is registered in SC. No.94/2025 which is pending before the court. The offences alleged against the accused are non-bailable in nature and punishable with imprisonment for life 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 the 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. It is to be noted that, based upon the complaint lodged by the complainant, the criminal case was registered against the accused in Crime No.78/2024 of BEML Nagar Police Station. After having thoroughly investigated the matter, the concerned I.O. has submitted charge sheet before the committal court against accused No.1 and also abated charge sheet against accused No.2 for the offences punishable under Section.103(1) and 108 of BNS-2023. Thereafter, the case has been committed to this court for trial, since, the offence punishable under



Section.103(1) of BNS-2023 is triable by this court of sessions.

10. It is pertinent to note that, on perusal of the records which further reveal that, the accused No.1 had filed regular bail application under Section.483 of BNS-2023 before this court in Crl. Misc. No.97/2025. Accordingly, this court had granted regular bail vide order dated: 12.02.2025. The only apprehension of the prosecution is that, if, the accused No.1 is enlarged on bail, there may be chances of absconding, hampering or tampering the prosecution witnesses. 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 is enlarged on 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.78/2024 of BEML Nagar Police Station, for the offences punishable under Section.103(1), 108 of BNS-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 **28th day of June-2025**)*

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