

KAKP010013122026



**IN THE COURT OF PRL. DISTRICT & SESSIONS JUDGE
AT KOPPAL**

**Present: SMT. LATHA KUMARI M., M.A.,LL.M.,
Prl. District & Sessions Judge
Koppal**

Dated this the 5th Day of August 2026

Crl. Misc. No.258/2026

PETITIONERS:

- 1) Kiran S/o Shankrappa Jathota,
Age: 37 years, Occ: Coolie work,
R/o Kunikeri Thanda, Tq: & Dist: Koppal.
- 2) Murali S/o Shankrappa Jathota,
Age: 37 years, Occ: Coolie work,
R/o Kunikeri Thanda, Tq: & Dist: Koppal.

(By Sri R.P.R.-Advocate)

V/s

RESPONDENT :

State of Karnataka through
Koppal Rural Police Station

(By Public Prosecutor)

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ORDER

This is a Petition filed by Petitioners U/Sec. 482 of
Bharatiya Nagarik Suraksha Sanhita for pre-arrest bail.

2. The Petitioners are the Accused Nos.1 & 2 in Crime No.70/2024 of Respondent Police Station (in C.C. No.2995/2024 on the file of I Addl. Civil Judge & J.M.F.C., Koppal) for the offences punishable U/Sec. 323, 324, 354, 504, 506 R/w Sec. 34 of I.P.C..

3. The Petitioners claims that, they are innocent of the offences alleged against them. They have not at all committed any such offence and the Petitioners have been falsely implicated in this case. They have no any bad antecedents or criminal records. They are coolies. They are permanent resident of the address as mentioned in the cause title. They are ready to abide by any reasonable conditions imposed by this Court and hence prays to allow the Petition.

4. The learned Public Prosecutor has filed objections stating that, the Accused Nos.1 and 2 on 16.04.2024 at about 8:00 p.m. when C.W.1/Shankramma along with her son C.W.3/Pandu Naik and her husband C.W.4/Sanneppa were arranging a bed to sleep in the front yard of their house situated at Kunikeri, at that time, Accused Nos.1 and 2 in furtherance of their common intention to commit criminal acts came there, picked-up quarrel with C.W.1, Accused No.1 kicked C.W.1, abused her in filthy language, assaulted her with a club. When C.W.2/Lalithamma came to her rescue, Accused No.2 used criminal force by assaulting her,

dragged her by touching her with an intention to outrage her modesty, assaulted her with a club. When C.W.3/Pandu Naik came to rescue C.W.2, Accused No.1 picked-up a stone present at the spot and assaulted him and threatened all of them with dire consequences. The Wound Certificates available in Prosecution records establishes the prima-facie case against them. The investigation is completed and Charge Sheet is filed, if the Petitioners are enlarged on bail they may tamper Prosecution witnesses and abscond from the jurisdiction of this Court and thereby prays to dismiss the Petition.

5. I have heard the learned Counsel for the Petitioners and learned Public Prosecutor.

6. By virtue of the above facts and circumstances, the points that arise for my determination are:

1. Whether the Petitioners/Accused Nos.1 & 2 have made out grounds for grant of pre-arrest bail?

2. What Order?

7. My finding on the above points are;

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

Point No.2 : As per final Order for the following:

REASONS**Point No.1:**

8. From the Complaint averments and also as per objections and C.D. produced by learned P.P., the cause for the crime is in the background of advise given by Complainant C.W.1/Shankramma to Accused No.1 on 14.04.2024 when he came to collect the cricket ball inside her house which hit to her daughter's back when she was cooking and consequently fell in the Roti dough and also when she advised him not to play cricket in front of their house. The learned Counsel for Petitioners canvassed that Petitioners are eeking their livelihood by doing coolie work and they are the sole bread earners of their respective families and they are permanent resident of Kunikeri Thanda, Koppal Taluk and District and they have been falsely implicated. On perusal of Wound Certificates of Injured, it reflects that the injuries sustained by the Injured are simple in nature. Further, it appears that alleged incident occurs on 16.04.2024 at about 8:00 p.m. and Complaint is lodged on 18.04.2024 at 2:30 p.m. and there is a delay of 2 days in lodging the Complaint and the said delay is not properly explained at this stage. Further, in the Wound Certificates there is no reference about the names of persons assaulted the Complainant, her daughter and son. Considering that, the Petitioner No.2 is aged 27 years, to avoid 2nd Petitioner coming in contact with hardcore

criminals in prison and considering that, both Petitioners are coolies by avocation and sole bread earners of their respective families and also considering that, investigation is completed and Charge Sheet is filed, this Court opines that Petitioners are entitled for bail. The apprehension of the learned P.P. that if these Petitioners are enlarged on bail, they may tamper Prosecution witnesses and abscond from the jurisdiction of this Court by itself is not a ground for rejecting the bail Petition, since such apprehension can be overcome by imposing stringent conditions. Hence, I answer Point No.1 in the **Affirmative**.

Point No.2:

9. In view of my finding on Point No.1, I proceed to pass the following

ORDER

The Petition filed by the Petitioners/Accused Nos.1 and 2 U/Sec. 482 of Bharatiya Nagarik Suraksha Sanhita seeking pre-arrest bail is allowed.

In the event of their arrest by the Respondent Police in connection with Crime No.70/2024 (in C.C. No.2995/2024 on the file of I Addl. Civil Judge & J.M.F.C., Koppal), the Petitioners/Accused Nos.1 and 2 shall be released on bail after obtaining self bonds for Rs.50,000/- each along with one surety for the like-sum.

The Petitioners/Accused Nos.1 & 2 in addition shall comply the following:

CONDITIONS

1. The Petitioners/Accused Nos.1 & 2 shall approach learned I Addl. Civil Judge & J.M.F.C., Koppal, for regular bail within 15 days from the receipt of the said Order.
2. The Petitioners/Accused Nos.1 & 2 shall not meddle with the Complainant and her family members.
3. The Petitioners/Accused Nos.1 & 2 shall not tamper with the Prosecution witnesses.
4. The Petitioners/Accused Nos.1 & 2 shall appear regularly before the trial Court on all hearing dates, unless exempted.
5. The Petitioners/Accused Nos.1 & 2 shall not commit similar offence.

[Dictated to the Stenographer Gr-1 directly on computer, computerized by her, corrected and then pronounced by me in the open Court on this the **5th** day of **August 2026**]

(LATHA KUMARI M.)
Prl. District & Sessions Judge
Koppal