

**IN THE COURT OF THE V ADDL.DISTRICT &
SESSIONS JUDGE, MANDYA**

:PRESENT:

SRI. M.C. NANJEGOWDA, B.A.L., L.L.M.,
V Addl. District & Sessions Judge, Mandya.

Dated **13th** Day of **July, 2026**

Crl.Misc. No.573/2026

PETITIONER/S:

Mahadevappa,
S/o Basappa,
Aged about 58 years,
R/o Alakere Village,
Keragodu Hobli,
Maddur Taluk,
Mandya District.

(By Sri. **M.K.S.**, Advocate)

Vs.

RESPONDENT/S:

State by,
Keragodu Police Station,
(Represented by **Public Prosecutor,**
Mandya)

**ORDER ON BAIL APPLICATION FILED UNDER
SECTION 483 OF THE BHARTIYA NAGARIK
SURAKSHA SANHITA, 2023.**

The petitioner has filed this regular bail application U/Sec.483 of B.N.S.S seeking grant of bail in Crime No.97/2026 registered on the file of Keregodu Police Station for offenses punishable under Sections 333(1) and 309(6) of BNS.

2. Case of the petitioner is that based on the information given by one Nagaraju S/o Chikkalingaiah, the respondent police have registered a case against the petitioner for the offences referred to above. The petitioner claims innocence and that he has been falsely implicated in the said case. He contends that, he has not committed any offences as alleged in the complaint. It is further case of the petitioner that, on 12/6/26 the petitioner was arrested by the police and produced before the court and hence, he is in judicial custody since then. Hence, the

petitioner is constrained to file this petition for grant of regular bail.

3. Learned Public prosecutor was notified of the petition. Ld. PP filed objection to this bail application in detail and IO also submitted a report to the bail application.

4. Learned Prosecutor contended in his objections that on 9/6/2026 at about 5-30am the accused entered the room belong to victim Leelamma locked and snatched the Mangalya Chain and when she resisted the same the accused assaulted her by means of rod and caused grievous injury on her head and thereby committed an offence of robbery punishable under section 333(1) and 309(6) of BNS. It is further contended by the Ld.PP that there is every chance of petitioner being involved in some other similar cases. The victim and petitioner belong to same village. Therefore, there is every chance of petitioner causing threat to the victim if he is released on bail. There

is every chance of he escaping from the court and thereby delaying proceedings. It is contended by the Ld. PP that the petitioner is not entitled for bail in heinous offences in view of the decision reported in SCC (Cri) 2011 (3) Page No.765. On these grounds, the respondent state has sought for dismissal of the bail petition.

5. Heard both sides.

6. On hearing both and perusal of all the materials available on record, the points that arise for the consideration of this Court are:

1. Whether the petitioner has made out grounds for grant of bail?

2. What order?

7. On hearing both and perusal of the entire materials placed before this Court; this court answers the above points as follows: -

Point No.1: In the Negative**Point No.2: As per the final order**

for the following:-

REASONS

8. **Point No.1:** At the very outset, it is pertinent to note that the allegation against the present petitioner is that he committed trespass into the house of the complainant/first informant and snatched Mangalya Chain of his wife Leelamma and when she shown the resistance, the petitioner assault her by means of a rod on her head and caused grievous injury. It is to be noted that the as per the report submitted by the investigation officer, he has recovered the weapon used for assaulting the victim from the possession of the petitioner. The investigation officer also has recovered mobile and chain from the possession of the accused which were snatched by the accused from the victim. At this stage, this court does not find any contrary materials to discard these

recoveries. Therefore, at this stage, the contention of the petitioner that he is not involved in the commission of the alleged offences is not believable. On the other hand, based on the materials based by the prosecution and investigation officer, this court is of the opinion that there are prima-facia materials to believe that he/petitioner has committed the alleged offences.

9. It is to be noted that the offence under section 309(6) is not only non-bailable offence, but said offence is punishable with life imprisonment or with imprisonment which may be extended for 10 years and fine. Therefore, the restriction imposed under section 480 (i) and (ii) of BNSS for granting bail is clearly applicable to the case on hand. Even the offence under section 333 is also punishable with not less than 7 years. Admittedly, the investigation is still under progress. More or less, all witnesses to the incident and petitioners live in the same vicinity and

hence they are easily vulnerable to prey of the petitioner. Therefore, there is every chance of witnesses being tampered. Therefore, at this stage, this court does not find any merits in the bail application of the petitioner. Therefore, under these circumstances, this court is of the opinion that petitioner is not entitled for bail for the alleged offences against him. **Accordingly, Point No.1 is answered in Negative.**

10. **Point No.2** : In view of the findings to Point No.1, this Court proceeds to pass the following: -

ORDER

The bail petition filed by the petitioner under Sec.483 of BNSS is hereby rejected.

(Dictation Typed by the Stenographer directly in the Computer, corrected and then pronounced by me in the Open Court, this the **13th day of July, 2026**)

(M.C. NANJEGOWDA)
V Addl.District & Sessions Judge,
Mandya.