



**IN THE COURT OF THE IV ADDITIONAL DISTRICT AND SESSIONS
JUDGE MANDYA**

DATED THIS THE 08TH DAY OF APRIL 2026

-: PRESENT:-

**SHRI. YADAVA K.,BAL., L.L.B.,
IV ADDL. DISTRICT AND SESSIONS JUDGE, MANDYA**

Crl.Mis.278/2026

Petitioners/ :	1	Ashwini H.R.,
Accused		D/o Narasamma,
No.1, 3 and 4		Aged about 24 years,
		R/at Kottagarahalli Village,
		Gejjagaraguppe Post,
		Madabal Hobli,
		Near Water Tank,
		Magadi Taluk,
		Ramanagara District.
	2	Narasamma,
		W/o Kapani Nanjappa,
		Aged about 70 years,
		R/at Kottagarahalli Village,
		Gejjagaraguppe Post,
		Madabal Hobli,
		Near Water Tank,
		Magadi Taluk,
		Ramanagara District.
	3	Dhanush @ Dumma,
		S/o A.Manju,
		Aged about 32 years,
		R/at No.119, 2 nd Main road,



Maruthi Nagar,
Mahadeshwaranagara,
Herohalli Cross,
Bengaluru North.

[By : MAS - Advocate]

- V/S -

Respondent: State by Mandya Rural Police Station.

[By : Pubic Prosecutor]

**:-ORDER ON BAIL PETITION FILED BY THE PETITIONERS /
ACCUSED NO.1, 3 AND 4 UNDER SECTION 482 OF BHARATHIYA
NAGARIK SURAKSHA SANHITA, 2023:-**

The present petition is filed by the Petitioners under section 482 of Bharathiya Nagarik Suraksha Sanhita, 2023, seeking anticipatory bail in Crime No.63/2026 registered by the respondent Mandya Rural Police station for the offences punishable under section 318 (4), 352, 351 (2) read with section 3 (5) of BNS.

2. The present Petitioners are Accused No.1, 3 and 4 in the above said crime and crime registered against the Petitioners based on first information given by first informant dated 3.2.2026 by name Yashawantha L. The allegation in the first information and FIR against the Petitioners is that, first informant is working in KPMG Global Services Private Limited, Bengaluru as Team Leader. In the year 2023, the Accused No.1, a resident of Ramanagara joined said company as



H.R. Analyst. After Accused No.1 joining the company, the first informant and Accused No.1 became friends. In the meantime, Accused No.1 expressed that, she is loving the first informant and willing to marry him. When he not agreed for the same, she informed the samme to her uncle Jitendra Kumar Accused No.2, her grand mother Narasamma Accused No.3. The Acused No.2 and 3 requested the first informant to marry Accused No.1 as she is expressed her feeling that she will not survive without first informant. After that, Accused No.1 developed her relationship with first informant and made him to believe that, she will going to marry him and obtained valuable articles from him from 30.11.2023 to 11.10.2025. She giving reasons that, she is suffering from ill-health and for check up obtained money and gold ornaments from first informant, about 95 gram gold ornaments and cash through GooglePay, PhonePay and Credit Card. She got transferred cash from his account to her account and she in total got transferred Rs.33 lakhs from him. After somemtimem, after Ugadi festival, first informant expressed about marriage. At that time, the Accused No.1 rejected his proposal and making attempt to avoid him. In the meantime, she threatened to the first informant's brother Chandrashekar through one Dhanush @ Dumma. They threatened that if the first informant insisted to marry her will face the consequences and threatened to kill him. They also threatened about police complaint and abused the first informant. The Accused No.1 with active support of Accused No.2 to 4 made the first informant believe that, will marry him and under the guise of marriage got transferred Rs.33 lakhs from his account to her account



and obtained 95 gram gold ornaments and cheated him. Based on first information, crime registered against Accused No.1 to 4. Now investigation is under process.

3. The present petition filed by Accused No.1, 3 and 4 seeking anticipatory bail in the above said crime. It is their contention that, relationship between Accused No.1 and first informant purely consensual and friendly in nature. During such period, there were mutual financial transactions between them and within their friends circle. The first informant engaged in financial dealings such as credit card base and lending money within his circle. The petitioner No.2/ Accused No.3 is a Senior Citizen and no way concerned with the relationship between accused No.1 and first informant. The Accused are not committed any offence as alleged in FIR and first information. The petitioners are law abiding citizens and permanent residents of Magadi Taluk, Ramanagara District and Herohalli, Bangalore. There is no allegation against Accused No.4/ petitioner No.3 in the first information and FIR. Though investigation is not completed from the nature of allegation, the petitioners are entitled to bail and prays to allow their petition.

4. The petition filed by the petitioners opposed by the Public Prosecutor by filing statement of objection with investigation officer report. It is contention that investigation of the matter is not completed and investigation officer required custody of the petitioners/ Accused



No.1, 3 and 4. The gold ornaments and cash received by Accused No.1 to be seized in the case on hand. The statement of witnesses to be recorded. The Accused No.1, 3 and 4 may threaten the first informant if enlarged on bail. As the investigation is not completed, they are not entitled to bail and prays to reject the petition.

5. I have heard the parties and perused the materials on record. The points that arise for my consideration is:-

1] Whether Petitioners have made grounds to grant anticipatory bail under section 482 of *Bharathiya Nagarik Suraksha Sanhita, 2023*, in Crime No.63/2026 registered by the respondent Mandya Rural Police Station for the offenses punishable under section 318 (4), 352, 351 (2) read with section 3 (5) of BNS, ?

2] What order, ?

6. My answer to the above said point which as under.

1. Point No.1 : In the Affirmative;
2. Point No.2 : As per final order for the following:-

:-REASONS:-

7. **POINT NO.1:-** In the matter, the specific allegation that, Accused No.1 under the assurance of marriage have got transferred



Rs.33 lakhs from the account of first informant and got gold ornaments from him. There is no allegation that, Accused without knowledge of first informant got transferred the money from his account to her account. The alleged transfer of money and gold ornaments is appears to be consensual under the guise of marriage. Whether the Accused No.1 under the active support of Accused No.3 and 4 cheated the first informant to be proved after trial. Whether such huge amount transferred or not and whether gold ornaments 96 grams has given by the first informant to the accused No.1 is the subject matter of trial. The alleged transfer of money by the account payee and to decide the same, information from the petitioners is not necessary because same is based on documents. In so far as gold ornaments is concerned, no doubt investigation officer is required to get information to decided the said allegation. But for the same, custody of the petitioners is not necessary because there is no strong material to say that Accused No.1 received 95 gram gold ornaments from the first informant.

8. In this matter, as per first information and FIR, the allegation against the petitioners is specific. The nature of allegation made shows the investigation officer is not required information from the petitioners to decide how crime occurred and who involved in the crime. Name of the Accused specifically stated and their role is also specifically stated. Under the circumstances, there is no question to get information from the petitioners keeping them in custody.



9. The crime alleged against the Accused not punishable with death or imprisonment for life. The first informant is material witness in the case on hand and it is not possible to tamper him in favour of the Accused. Nature of allegation shows investigation officer can complete the investigation even without custody of the petitioners. There is no strong material to show that, first informant purchased gold ornaments and has given the same to the Accused No.1. The said allegation is not forthcoming from any strong material to reject the petition on the ground that, to recover the gold ornaments custody of the petitioners required. In the absence of strong prima facie material about purchase of gold ornaments, I feel it is not proper to keep the accused in custody during crime stage for the purpose of investigation.

10. The investigation officer even without custody of the petitioners can complete the investigation. The investigation officer can complete the investigation based on information of first informant and not from the information of the Accused by keeping them in custody. The allegation is that, Accused No.1 impressing upon the first informant to marry him and obtained money and ornaments from him. It shows that, first informant voluntarily has given alleged ornaments and credit to her. Whether he had given such money and ornaments and whether Accused No.1 assured him to marry him is to be decided in trial. For the said purpose, custody of the Accused absolutely not necessary. There is no specific allegation against Accused No.3 and 4 about their role. A stray allegation made against Accused No.3 that, she being grand



mother of the Accused No.1 requested the first informant to marry her. In so far as Accused No.4 is concerned, there is no specific allegation against him. The allegation against Accused No.1 also not so serious and not based on any strong material. Under these circumstances, though investigation is not completed, the petitioners are entitled to bail. Hence, I answer Point No.1 in Affirmative.

11. **POINT NO.2:-** In view of my finding on point No.1, I proceed to pass the following:-

:-ORDER:-

The bail petition in CrI.Misc.No.278/2026 filed by the Petitioners under section 482 of *Bharathiya Nagarik Suraksha Sanhita, 2023* is herewith allowed. The Petitioners are granted anticipatory bail in Crime No.63/2026 registered by the respondent Mandya Rural Police Station for the offenses punishable under section 318 (4), 352, 351 (2) read with section 3 (5) of BNS. In the event of arrest of the Petitioners/ Accused No.1, 3 and 4 in the above said crime the arresting authority is directed to release them on bail on the following conditions.

1. The Petitioners/ Accused No.1, 3 and 4 shall execute personal bond for sum of Rs.2,00,000/- each with two solvent sureties for like sum.



2. The Petitioners/ Accused No.1, 3 and 4 shall present before the jurisdictional Magistrate within 15 days from today to execute bond and to offer surety.

3. The Petitioners/ Accused No.1, 3 and 4 shall co-operate with investigation officer as and when directed by the investigation officer.

4. The Petitioners/ Accused No.1, 3 and 4 shall not leave India without prior permission of the Court.

5. The Petitioners/ Accused No.1, 3 and 4 and their sureties shall furnish permanent and present address proofs, both residential and official if any.

6. The Petitioners/ Accused No.1, 3 and 4 and their sureties to intimate the concerned court as well as the concerned police regarding any changes in address with proof, in the form of affidavit.

7. The Petitioners/ Accused No.1, 3 and 4 shall not indulge in any criminal activities.

8. The Petitioners/ Accused No.1, 3 and 4 shall not threaten prosecution witnesses and tamper prosecution witnesses.

9. The Petitioners/ Accused No.1, 3 and 4 shall appear before the investigation officer on every third Sunday of every month for a period of three months or till filing final report whichever is earlier and thereafter appear before the concerned court on all hearing



dates unless their presence is dispensed by the Court.

10. If any of the above conditions are violated by the Petitioners/ Accused No.1, 3 and 4 , the bail granted now shall stand canceled without further order from the court.

*(Dictated to the stenographer, same is corrected, signed and then pronounced by me in the open court, on this the 08th day of April **2026**)*

(YADAVA K)
IV Additional District & Sessions Judge,
Mandya