

KAMD010027482026



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

Dated: This the 29th day of June - 2026.

Present:

Sri Madhvesh Daber

B.Com., LL.B. (Spl.)

IV Addl. District & Sessions Judge,
Mandya.

Crl.Misc.No.561/2026

Petitioner/Accused No.2:

- 1] Chandra Mohan B @ Chandra,
S/o Bhairappa,
Age: 43 years, Occupation: Agriculture,
R/at Marakadudoddi Village,
Kothathi Hobli, Mandya Taluk,
Mandya District.

[R/by Sri N.Ramachandra, Advocate]

V/s.

Respondent:

The State of Karnataka.
Through the PSI Mandya Rural PS.

[R/by the learned Public Prosecutor]

ORDER

The Petitioner/Accused No.2 has filed the bail application U/s.483 of BNSS-2023 for grant of regular bail in Mandya Rural police station crime No.465/2018, for the offences punishable U/s. 427, 307, 324, 323, 506 read with section 34 of IPC.

2. The brief facts of the complaint are that, the complainant viz., Santhosh S/o Jayaram has filed a complaint on 3.7.2018 to the effect that on 2.7.2018 at night he and his friend Sunil were traveling in a car bearing Reg.No.KA-01/AA-8635 to his village Belur, Kothathi Hobli. Near Marakadudoddi Chamundi Bar, his friend Raghavendra also joined. When they were standing near the said car at about 10:00 p.m. the accused namely Jeeva, Chandra, Manu and Lokesh and 10 others came there by holding clubs, stone and iron rod and damaged the front glass of the car. When the complainant and others questioned them as to why they had broken the glasses, Jeeva assaulted the complainant with club on the head and caused injury. Chandra has

assaulted Sunil with iron rod and caused injury over the head, right palm and left ear. Manu assaulted Raghavendra with a club and caused injury near eyes, left ear and right forearm. The Accused and others assaulted the complainant and others only with an intention to commit their murder. The matter was pacified by one Shashank who was passing on the road. While going away, the Accused persons gave life threat to complainant and others. They fled the place by dropping the club and iron rod on the spot only. Thereafter complainant was taken to District Hospital, Mandya for first aid treatment and thereafter shifted to NIMHANS, Bangalore for further treatment. Thereafter the complainant lodged the complaint to the Mandya Rural police station which was registered in Crime No.465/2018 for the offence punishable under section 143, 147, 148, 427, 323, 324, 307, 506 read with section 149 of IPC. The IO after completing investigation submitted charge-sheet against the petitioner and others for the offences punishable under section 427, 323, 324,

307 and 506 read with section 34 of IPC. Earlier the matter was registered in CC No.174/2020. Since the petitioner/ Accused did not attend the court regularly, the learned jurisdictional court ordered for splitting up the case against the petitioner/ Accused No.2. Thereafter matter was registered in split up CC No.99/2025. In the said case the petitioner/ Accused No.2 was arrested on 7.6.2026. Since then, he is in JC.

3. Now the Petitioner/Accused No.2 has filed this petition for his release on regular bail on several grounds.

4. In response to the notice, the Learned Public Prosecutor appeared for respondent and filed objection.

5. I have heard the argument of both the parties and perused the material on record.

6. Now the points that arise for my consideration are as under :

- 1) Whether the Petitioner/Accused No.2 is entitled for regular bail as sought in the petition?
- 2) What order?

7. My findings on the above points for consideration are as under:

- 1) In the **Affirmative.**
- 2) As per the final order, for the following:

REASONS

8. **Point No.1:** I have perused the bail petition, objection statement filed by the prosecution and other material placed on record.

9. During arguments the learned Counsel appearing for the Petitioner/Accused No.2 submitted that, earlier the petitioner was granted anticipatory bail in Crl.Mis.259/2026 dated 7.4.2026. However, before he could comply the order of the court, he was arrested on 7.6.2026 and remanded to JC. He submitted that, since he has been granted anticipatory bail by the court, he is entitled for release on bail on imposing conditions. The

petitioner was not malafide in not complying the order in Crl.Mis.259/2026 dated 7.4.2026. Because of bonafide reasons, he could not comply with the order of the court. The alleged offences are though non-bailable , triable by Sessions Court, but not exclusively punishable with death sentence or life imprisonment. Since the investigation is over and charge-sheet is filed, he is not required for any custodial interrogation. He is ready to abide by any condition that would be imposed by the court. There are no any criminal antecedents against the petitioner/ Accused No.2. Hence, he prayed to allow the application.

11. Per contra, the learned Public Prosecutor vehemently submitted that, there is sufficient material against the Petitioner/Accused No.2 and the offences alleged against him are non-bailable and triable by Sessions court. He was not regular before jurisdictional court. If the Petitioner is enlarged on bail, he may abscond from the jurisdiction of the Court and cause hindrance in the trial. If he is released on bail, he is likely to tamper with prosecution witnesses. He may commit

similar type of offences. With these points of argument, he submits to reject the bail petition.

12. It is trite principles of law that while considering bail application, the following points to be taken into consideration:

- a) The nature and seriousness of the offence.
- b) Character of the accused.
- c) Circumstances which are peculiar to accused.
- d) Reasonable probabilities or presence of the accused not being secured at trial
- e) Reasonable apprehension of witnesses being tampered.
- f) Larger interest of Public or the State and similar other considerations, which arise then a Court is asked to admit the accused to bail in a non-bailable offence.

13. In the light of above principles of law, I have perused the material placed on record by both the parties. Having heard the learned counsel for the petitioner and learned PP and considering the facts &

circumstances of the case, it is to be noticed that, Mandya Rural police have filed charge-sheet against the petitioner/ Accused No.2 and others for the offence punishable under section 427, 307, 324, 323 and 506 read with section 34 of IPC. Admittedly, the investigation is over and charge-sheet is filed. Hence, the petitioner is not required for any custodial interrogation. It is significant to note that, petitioner has already been granted anticipatory bail in Crl.Mis.259/2026 dated 7.4.2026. It appears that before he could comply with the order of the court, he has been arrested and remanded to JC. From the records, it does not appear that, petitioner was malafide in not complying the order of the court in Crl.Mis.259/2026 dated 7.4.2026. Further it is to be noticed that, though alleged offences are non-bailable and triable by Sessions court, but they are not exclusively punishable with death sentence or life imprisonment. The prosecution has not brought out anything with regard to the criminal antecedents of the petitioner/ Accused No.2. He is ready to abide by any conditions that would

be imposed by court. Whatever the allegations made against the Petitioner/accused have to be established during trial only. No grounds are made out for rejection of the bail petition. Bail is a rule and rejection is an exception. The prosecution has not brought the case within exceptional category. Hence, looking to the facts and circumstances of the case, I am of the view that, It would meet the ends of justice, if the Petitioner is released on regular bail on imposing stringent conditions. Hence, the Petitioner has made out grounds for releasing him on regular bail on imposing stringent conditions. With these observations, I am of the view that, petitioner/ Accused No.2 is entitled for regular bail. Accordingly, bail application is fit to be allowed. Thus, Point No.1 is answered in the **Affirmative**.

14. **Point No.2:** In view of the aforesaid reasons on Point No.1, I proceed to pass the following:

ORDER

The bail application U/s.483 of BNSS filed
by the Petitioner/Accused No.2 is hereby

allowed and he is released on regular bail in Mandya Rural police station crime No.465/2018, for the offences punishable U/s.427, 307, 324, 323, 506 read with section 34 of IPC and he shall be released on bail on execution of personal bond for Rs.50,000/- with one solvent surety (without any charge/ encumbrance over the property) for the like sum on the following conditions :-

- a) He shall not hamper, tamper and threat the prosecution witnesses.
- b) He shall not indulge in similar type of offences.
- c) He shall not leave the jurisdiction of the court without prior permission.
- d) He shall be regular to the court.
- e) The Petitioner/Accused No.2 and his surety shall furnish his current residential address proof along with recent passport size Photos and Mobile numbers to the Investigating Officer.

In case of violation of any one of the above mentioned conditions, the prosecution is at liberty to move for cancellation of bail.

(Dictated to the Stenographer directly on the Computer. Typed by her. Script corrected and then order pronounced by me in the Open Court on this the 29th day of June -2026).

(Madhvesh Daber)
IV Additional Sessions Judge,
Mandya.

Case called out. Order pronounced in the Open Court. Vide separate order.

ORDER

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IV Addl. Sessions Judge,
Mandya.