



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

DATED THIS THE 27TH DAY OF JUNE 2026

-: PRESENT:-

SHRI. YADAVA K.,^{BAL., L.L.B.,}

I ADDL. DISTRICT AND SESSIONS JUDGE, MANDYA

Crl.Misc.No.567/2026

Petitioners/ : 1. Mohan B,
Accused S/o Basvegowda,
No.1 to 3 Aged about 36 years.

2. Smt. Nagamma,
W/o Basavegowda,
Aged about 59 years.

3. Basavegowda @ Hottekala,
S/o Doddakarigowda,
Aged about 73 years.

All petitioners are residents of
Nelluru Village, Nelamakanahalli Post,
Kasaba Hobli, Malavalli Taluk,
Mandya District.

[By : MHV- Advocate]

-V/S -

Respondent : The State by Malavalli Rural
Police Station.

[By : Pubic Prosecutor]



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

The present petition is filed under section 482 of Bharathiya Nagarik Suraksha Sanhita, 2023, seeking anticipatory bail in Crime No.165/2025 registered by the respondent Malavalli Rural police station for the offences punishable under sections 85, 115(2), 351(2), 126(2) of BNS and under sections 3 and 4 of Dowry Prohibition Act.

2. The present petitioners are Accused No.1 to 3 in the above said crime. Crime registered against the accused No.1 to 3 and others based on the first information dated 14.06.2026 given by first informant Amrutha. It is allegation as per FIR and first information that in the year 2019 marriage between the first informant and accused No.1/petitioner No.1 performed. They are having 5 years old and 2 years old daughters. The accused No.1 teasing the first informant as she got two female child and accused No.1 ill-treating her in the matrimonial home. Her mother-in-law Nagamma accused No.2 and father-in-law Basavegowda @ Hottekala the accused No.3 also teasing her and were instigating their son to harass her. There was panchayath



convened in the year 2022 in the family, but the petitioners/accused never set right their behavior. First informant was in the parent's house for some time and after meeting she was taken to matrimonial house in the year 2022. After that accused continued their harassment demanding Rs.5,00,000/- dowry from her. They tease her as she is having two female children. They demanded more dowries saying that her parents have given small amount dowry to them. On 14.06.2026 at about 12-00 p.m. the accused No.1 and other accused with his friends abused first informant with filthy language. He quarreled with her and assaulted her with wooden club. They assaulted her father and snatched her chain. She admitted to hospital and based on the said information crime registered. Now investigation is in process.

3. The present petition filed by the petitioners seeking anticipatory bail in the crime. It is their contention that they have not committed any such offences as alleged in the first information. They are innocent of the offence alleged against them. False case registered against them because there is matrimonial dispute between the husband and wife. They undertake to abide by the conditions imposed by the Court



and pray to grant bail.

4. The petition is opposed by learned Public prosecutor by filing statement of objection with I.O. report. It is contended that investigation of the matter is not completed. Hence, petitioners are not entitle to bail and pray 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/accused No.1 to 3 have made grounds to grant anticipatory bail under section 482 of Bharathiya Nagarik Suraksha Sanhita, 2023, in Crime No.165/2026 registered by the respondent Malavalli Rural Police Station for the offences punishable under sections 85, 115(2), 351(2), 126(2) of BNS and under sections 3 and 4 of Dowry Prohibition Act,?

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 case the allegation of dowry and assault is based on the first information. At present there is no strong material to support the incident. The allegation of demand of dowry and acceptance of dowry before marriage and after marriage is subject matter of trial. To presume such allegation there is no strong material at present. The allegation of assault also not supported from strong material like any wound certificate or any other medical records. It shows the allegations against the petitioners to be decided in the trial. The first informant is eyewitness to the incident hence the Investigation Officer not required get any information from the petitioners to keeping them in the custody. As the first informant narrated the incident, it is not necessary to get information to complete the investigation. How the crime occurred is narrated in first information. These aspects show that custodial interrogation of the petitioners is not necessary. The first informant being witness it may not be possible to tamper the prosecution witnesses by the petitioners. The incident is not depending on any third party independent witnesses. Hence, there is no question of winning over any witnesses.



The petitioners may not in a position to tamper or hamper the investigation. The alleged offences are matrimonial dispute between husband and wife and family members. The alleged offences are not punishable with death or imprisonment for life. Though the investigation is not completed custodial interrogation is not necessary. Considering the facts and circumstances of the case and allegations made against the petitioners, I feel they entitle to bail. Hence, I answer Point No.1 in the Affirmative.

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

:-ORDER:-

The bail petition in Crl.Misc.No.567/2026 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.165/2026 registered by the respondent Malavalli Rural Police Station for the offences punishable under sections 85, 115(2), 351(2), 126(2) of BNS and under sections 3 and 4 of Dowry Prohibition Act. In the event of arrest of the petitioners/Accused No.1 to 3 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 to 3 shall execute personal bond for sum of Rs.1,00,000/- each with two solvent sureties for like sum.
2. The petitioners /Accused No.1 to 3 shall appear before the Jurisdictional Magistrate within 15 days from the date of this order for the purpose of execution of bail bond and sureties.
3. The petitioners/Accused No.1 to 3 shall make them available for interrogation by the Investigating Officer as and when required.
4. The petitioners/Accused No.1 to 3 shall not leave India without prior permission of the Court.
5. The petitioners/Accused No.1 to 3 and their sureties shall furnish permanent and present address proofs, both residential and official if any.
6. The petitioners/Accused No.1 to 3 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 to 3 shall not indulge in any criminal activities.
8. The petitioners/Accused No.1 to 3 shall not threaten prosecution witnesses and tamper prosecution witnesses.



9. The petitioners/Accused No.1 to 3 shall appear before the IO on every third Sunday of every month for a period of 3 months or till filing final report, whichever is earlier and thereafter 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 to 3 bail granted now shall stand canceled without further order from the court.

*(Dictated to the stenographer -I, same is corrected, signed and then pronounced by me in the open court, on this the **27th day of June, 2026**)*

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

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