

KAMD700003702026



**IN THE COURT OF THE
III ADDITIONAL DISTRICT AND
SESSIONS JUDGE, MANDYA,
[SITTING AT SRIRANGAPATNA].**

Dated this the 19th day of June, 2026.

PRESENT

Smt. Jyothsna D, LLB, LLM, DFA.
III Addl. District and Sessions Judge, Mandya,
[Sitting at Srirangapatna].

Crl.Misc./5211/2026

- Petitioners : 1. Udayakumar K.S S/o Late
Shankaralingegowda K.T, Aged
about 41 years, Koodalakuppe
Village, K.Shettahalli Hobli,
Srirangapatna Taluk.
2. Vijayakumar K.S S/o Late
Shankaralingegowda K.T, Aged
about 43 years, Koodalakuppe
Village, K.Shettahalli Hobli,
Srirangapatna Taluk.
3. Anitha K.S W/o Swamy.N,
Aged about 47 years, Kiranguru
Village, K.Shettahalli Hobli,
Srirangapatna Taluk.
4. Harini D W/o Yogananda M.S,
Aged about 39 years, D.No.117,
Marigowda Badavane, Mandya
City.

5. Aparna S.D W/o Narayana D,
Aged about 38 years, D.No.52,
Ashraya Badavane, Kodigehalli
Post, Vishwanidham, Bengaluru
City.
6. Ashwini D W/o Shridhar G,
Aged about 37 years, D.No.10,
Manjunatha Badavane,
R.T.Nagara, Bengaluru North,
Bengaluru City.
7. Akshatha D W/o Manjesh
Gowda D.S, Aged about 35
years, Doddapalya Village,
Srirangapatna Taluk.

By Sri Lokesh S D, Advocate.

-Vs-

Respondent: State of Karnataka,
By Pandavapura Police Station,
Mandya District.

By the learned Public Prosecutor.

ORDER

The present bail petition is filed by the petitioners under Section 482 of Bharatiya Nagarik Suraksha Sanhita, seeking bail in the event of their arrest in Cr.No.240 of 2025, for the offences punishable under Section 329[4], 352, 115[2], 74, 351[3], 190 Bharatiya Nyaya Sanhita.

2. In the bail petition, it is contended that the petitioners are innocent and they have not committed the alleged offences and they have been falsely implicated in the case. There is a civil dispute between the parties. They are the permanent residents of the address mentioned in the cause title to the petition having movable and immovable properties at their disposal. They hail from respectable family. They have got the responsibility to look after their family. The alleged offences though non-bailable in nature are not punishable with death or life imprisonment. Except the offence under Section 74 Bharatiya Nyaya Sanhita, rest of the alleged offences are bailable in nature. They have got aged parents to look after. Investigation into the matter is completed and charge sheet has been filed. They are ready to abide by any conditions that may be imposed by this Court and furnish surety to the satisfaction of the Court and appear before the Court on all hearing dates. Inter-alia on all these grounds cited above, the petitioners pray to enlarge them on bail.

3. Whereas, the learned Public Prosecutor in her objection has reiterated the complainant averments and contended that case came to be registered against the

petitioners for the offences punishable under Section 329[4], 352, 115[2], 74, 351[3], 190 Bharatiya Nyaya Sanhita. Investigation into the matter is completed and charge sheet came to be filed in C.C.No.862 of 2025 on the file of Civil Judge and JMFC, Pandavapura. The offence under Section 74 Bharatiya Nyaya Sanhita is punishable with imprisonment for five years and with fine. It is violence against women and non-bailable in nature. At this stage, there are reasonable grounds to believe that the petitioners have committed the alleged offences. If the petitioners are released on bail they may threaten the prosecution witnesses or they may abscond by violating the bail conditions. The learned Public Prosecutor has relied upon decision reported in [2011] 3 SCC [Cri] 765. Inter-alia on these grounds the learned Public Prosecutor prays for rejecting of the bail petition.

4. Heard arguments of both the side. Perused the material on record.

5. On the basis of the above materials, the following points arise for determination of this Court;

1. Whether there are grounds to enlarge the petitioners on bail?
2. What order?

6. The findings of this Court to the aforesaid points for consideration are as under;

Point No.1 :In the affirmative.

Point No.2 : As per final order, for the following:

REASONS

7. **Point No.1:** A case was registered before respondent-police station on 25.08.2025 in Cr.No.240 of 2025 against the petitioners, for the offences punishable under Section 329[4], 352, 115[2], 74, 351[3], 190 Bharatiya Nyaya Sanhita, on the basis of complaint of one Akhileswari K S.

8. The sum and substance of the FIR is that the complainant and her husband Manjunatha K.S. and their two children by name Sahana K.M and Manvith K.M are residing in a rented house of one Vani W/o Srinivasa who is running a Naati Koli Hotel near Karnataka Grameena Bank, Pandavapura Town since 15 days from the date of the complaint. On 20.08.2025 at about 3.30 p.m. the accused with old animosity pertaining to partition in the family property, suddenly entered into their house and started abusing her husband in filthy words and pulled his collar. At that time she asked as to why they are scolding

her husband and tried to rescue him. At that time accused No.1 pulled her chudidar and tore it and accordingly outraged her modesty. Accused No.2 assaulted on her chest and slapped her husband. He kicked her husband and one Vivek and Krishna came there and on hearing the scream rescued them. The accused threatened of their life stating that today they are escaped and one or the other day they will kill them. Subsequently, the complainant and her husband went to Pandavapura Government Hospital and took treatment. After treatment filing delayed complaint.

9. It is relevant to note here that perusal of complaint shows that incident has taken place. But, it is also true to say that investigation into the matter is already completed and charge sheet came to be filed before the JMFC Court at Pandavapura.

10. Furthermore, except offence under Section 74 Bharatiya Nyaya Sanhita, rest of the offences are non-bailable in nature and not punishable with death or life imprisonment. Since charge sheet is already filed, presence of the petitioners for the purpose of investigation and interrogation by the Investigating Officer is no more required. Added to this petitioners Nos. 3 to 7 are ladies

and on this score petitioners 3 to 7 are entitled for grant of bail and the others petitioners are also entitled for bail.

11. It is presumed that “the accused is innocent until the guilt is proved beyond all reasonable doubts, in full fledged trial by the prosecution. Until then it is not proper to put the accused in jail as a measurement of pre-trial punishment”.

12. It is settled position of law by the Catena of decision of Hon’ble Apex Court and various High Court that “the bail is the rule and jail is an exception and securing the presence of accused for trial and protection of witnesses from tampering are main consideration at the stage of granting bail”.

13. The petitioners claim to be the permanent residents of the address shown in the cause title of the bail petition. It is urged that the petitioners are ready and willing to furnish surety to the satisfaction of the Court to ensure their availability before the Court for the purpose of trial into the matter. As such, possibility of the petitioners remaining absconding is too remote.

14. The apprehension and interest of the prosecution that the petitioners may tamper with the

prosecution witnesses or they may abscond can be taken care and safeguarded by imposing suitable conditions. Hence by considering all these aspects, this Court is of the opinion that the petitioners are entitled for bail and accordingly, point No.1 is answered in the affirmative.

15. **Point No.2** : In view of the reasons and discussions as has been given herein above and the findings on point No.1 in the affirmative, this Court proceeds to pass the following;

ORDER

The bail petition filed by the petitioners under Section 482 of Bharatiya Nagarik Suraksha Sanhita, is hereby allowed.

The respondent police is hereby directed to release the petitioners on bail in the event of their arrest in Cr.No.240 of 2025 [C.C.No.862 of 2025 on the file of Civil Judge and JMFC, Pandavapura], on execution of their personal bond for Rs.1,00,000/- [Rupees one lakh only] each with one surety for the like sum to the satisfaction of the JMFC, subject to the following conditions:

1. The petitioners shall appear before the learned JMFC on the date of hearing and shall move for regular bail.
2. They shall not tamper with the prosecution evidence or influence the prosecution witnesses directly or indirectly in any manner.
3. They shall not indulge into the acts similar to one alleged against themselves.

[Typed to my dictation by the Stenographer Grade-1, directly on Computer, corrected by me and then pronounced in open Court on this 19th day of June, 2026]

[Jyothsna D]

III Addl. District & Sessions Judge,
Mandya, [Sitting at Srirangapatna].