



**IN THE COURT OF THE III ADDITIONAL
DISTRICT AND SESSIONS JUDGE, MYSURU**

Dated this the **01st day of July, 2026**

:: PRESENT ::

Sri Mallanagouda, B.Com., LL.M.,
III Addl. District & Sessions Judge,
Mysuru.

SC/184/2025

Complainant:

The State by Varuna
Police Station,
Mysuru.

(By Public Prosecutor)
V/s

Accused No.2 :

Anand Kumar.N @
Anandagowda,
S/o Nagaraju,
Aged about 25 years,
R/at University Layout
Quatress, Saraswathipuram,
Mysuru.

(By : Sri.U.S., – Adv.)

**:: ORDERS OF INTERIM BAIL APPLICATION FILED
UNDER SECTION 483 OF CR.P.C BY ACCUSED NO.2 ::**

This is the case in which police Inspector of Varuna Police Station has filed charge sheet against the accused persons for the offence punishable under Section 189(2), 191(2), 191(3), 61, 103(1), 49, 238 R/W 190 of BNS.

2. As per the charge sheet the prosecution has contended that, the deceased had relationship with accused No.7 herein. He arranged for rented house near Devegowda Circle and the said Lakshmi is resided there. Deceased used to visit said house. Deceased has assigned accused No.1 to get the grosseries and other daily required things. As such the accused No.1 used to visit the house of accused No.7. About 6 months back the deceased came to know that, behind the back of the deceased both accused No.1 & 7 had developed illicit relationship and the deceased quarreled with both accused No.1 & 7 and assaulted them in the house of accused No.7. Accused No.1 frightened with deceased went to Bengaluru. The said accused No.1 developed animosity against deceased. The deceased told to his

followers to eliminate accused No.1 as he has developed relationship with accused No.7 behind his back and committed cheating. This fact was came to know by the accused No.7. Further, the deceased is in love with Neela and he is planning to marry her. That has led to develop animity by accused No.7 towards deceased.

Accused No.5 has also developed animity as the deceased has planned to kill accused No.5 as because the said accused No.5 has killed one of the friend of deceased. Accused No.2 & 3 have also develop animity against deceased as there was gang fight. Further, deceased has developed himself and accused No.3 has jealous against deceased and he intended to eliminate deceased. Accused No.1 is under fear as deceased has instructed his followers to eliminate him. As such he has thought to join the enemies of deceased and eliminate deceased himself. On 29.04.2025 accused No.1 to 3 met near Kanakagiri School and hatched a plan to eliminate deceased.

On 04.05.2025 at about 9.00 p.m accused No.7 called accused No.1 through whats app call and

informed that, to not to go to karaga festival as the deceased has planned to eliminate him, accused No.2, 3, 5 and prepared for the same. Further she informed that, deceased cheating on her and planning to marry Neela. She instigated that, if they do not eliminate deceased, deceased will kill them. Deceased is staying in Yathin Hotel at Varuna along with Neela since one week and he will surely visit the said hotel. By that, she has abated and instigated the others to kill deceased. Accused No.1 shared the said information with accused No.3 and they have prepared to eliminate deceased. They assembled at the site in Ashokapuram and they have hatched the plan and prepared to kill deceased. They arranged 5 long, 2 daggers and kept the weapons in the Tata Sumo Jeep. accused No.4 kept one dagger with him. Accused No.2 & 4 were informed to watch the deceased. After that, all of them went near the Yathin Hotel. Accused No.1, 3, 5 & 6 were in the Tata Sumo Jeep parked the vehicle by the side of the road accused No.2 & 4 were in the scooter waiting near the hotel on the road.

On 05.05.2025 at about 1.40 a.m., deceased came in his black Thar Jeep parked the vehicle near

the main gate of the hotel got down and proceeded to enter the hotel. At that time accused No.2 & 4 came in scooter and started to talk to deceased. Accused No.2 caught hold deceased and pulled him on the ground immediately accused No.1, 3, 5 & 6 got down from the Tata Sumo Jeep with the weapons and started to assault on deceased. They assaulted on his face, head, neck, shoulder. Accused No.2 brought another long from the Jeep and assaulted on the face of the deceased. accused No.4 with the dagger stabbed on the chest of the deceased and committed murder. accused No.5 took the photographs of the deceased in his mobile and they all flee from the spot in their vehicles. They parked the two wheeler near the form of Shivanna at Gurkapur Road and in the Jeep went at different placed and they changed cloths and thrown the blood stained cloths in the land of Puttaswamy and by that they have destroyed the evidence. Accused No.1 to 6 have committed murder of deceased. accused No.7 has informed other accused about the deceased and she instigated the other accused to commit murder of the deceased. Therefore, accused persons have committed offence

punishable under Section 189(2), 191(2), 191(3), 61, 103(1), 49, 238 R/W 190 of BNS.

3. During investigation IO has arrested accused No.1 to 7, the accused No.2 has obtained interim bail for period of two months for the purpose of undergoing surgery vide order dated 11.02.2026 and after surgery he has surrendered before the court and he is in judicial custody. Now, the accused No.2 has filed the present bail application seeking bail in which he has contended as under:-

That accused No.2 is innocent of the offences alleged against him. He is law abiding citizen, he has not committed any offences as alleged in the complaint. He has to look after aged parents. He is the permanent resident of Mysuru city. He has aged parents and he is working as Coolie in RMC. The accused No.2 is suffering from Low Back Ache and undergone L4 & L5 Laminectomy Discectomy surgery. He has to be provided with proper care after surgery and same is not possible in the prison. He can not able to do his daily activities by his own and somebody has to take care him. Hence, the accused No.2 may be released on the medical grounds. The

complainant police have completed the investigation and they have not sought for any further police custody of the accused. This court has granted interim bail for period of two months and after surgery he has surrendered on 10.04.2026. He is ready to abide the conditions imposed by the court also ready to furnish surety to the satisfaction of the court. If he is not granted bail, his entire family will be put to great hardship. Hence, the accused No.2 requested for bail.

4. To this Application, the learned Public Prosecutor has filed objections stating that there is prima-facie materials to show that the accused persons have committed the offences U/Sec.189(2), 191(2), 191(3), 61, 103(1), 49, 238 R/w Section 190 of BNS, 2023. The offence alleged against the accused No.2 is non bailable and punishable with life imprisonment or death sentence. If the accused No.2 is released on bail, there is every possibility of tampering the prosecution witnesses and absconding from the jurisdiction of the Court. Therefore, it is necessary to reject the bail application.

5. Heard. Perused the entire record.

6. The only point that arises for my consideration is;

(1) Whether the accused No.2 has made out sufficient grounds for grant of bail ?

(2) What Order?

7. My findings on the above points are as hereunder;

Point No.1: **In the Negative**

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

:: REASONS ::

8. **POINT No.1:-** During arguments the learned Counsel for the accused No.2 has argued stating that there is no prima-facie evidence to show that the accused No.2 has committed the offence alleged against him. There is no overtact alleged against the accused No.2. The accused No.2 is suffering from Low Back Ache and undergone L4 & L5 Laminectomy Discectomy surgery. He has to be provided with proper care after surgery and same is not possible in the prison. He is unable to do his daily activities by his own and somebody has to take

care of him. Hence, the accused No.2 may be released on the medical grounds. The accused No.2 is ready to abide by the conditions that may be imposed by the Court and furnish sufficient surety. Therefore, it is necessary to release the accused No.2 on bail. In support of his argument counsel for accused No.2 has produced medical certificate of the accused No.2.

9. On the other hand, the learned Public Prosecutor has argued stating that there is prima-facie material to show that the accused No.2 has committed the offences alleged against him. The offences alleged against the accused No.2 are very serious offences punishable with imprisonment for life or death sentence. Therefore, in case if the accused No.2 is released on bail at this juncture there is every possibility of destroying the evidence. Therefore, it is not proper to release the accused No.2 on bail.

10. On perusal of the material on record and submissions made by the Counsel for accused No.2 and learned Public Prosecutor, it appears to me that,

there is prima facie material to show that, accused No.2 and other accused persons have committed offences under Sec.189(2), 191(2), 191(3), 61, 103(1), 49, 238 R/w Section 190 of BNS and offence under Sec.103 of BNS is very serious offence and punishable with life imprisonment and death sentence. Furthermore, as still trial is yet to be commenced in case if accused No.2 is released on bail there is every possibility of tampering the witnesses.

11. With regard to contention of the accused No.2 about advise of the doctors for the rest is concerned, by looking to xerox copies of the out patient record it appears that, the jail authorities are taking the accused No.2 to the hospital whenever needed and as already accused No.2 undergone surgery about more than 3 months back it is not necessary to grant bail to accused No.2 on the medical grounds. Even, accused No.2 can take rest in the prison itself and he will get all necessary treatment in the jail itself. Therefore, I am unable to find any valid reason to grant bail to accused No.2. Hence, I answer **Point No.1** in the **Negative**.

12. **POINT No.2:-** In the result, I proceed to pass the following;

ORDER

The Bail application filed by the accused No.2 U/Sec.483 of BNSS, is hereby **Rejected**.

[Dictated to the Stenographer, directly on computer, corrected and then pronounced by me in the open Court on this the **01st day of July, 2026**].

(MALLANAGOUDA)

III Addl. District & Sessions Judge,
Mysuru.