

KAMS010017722026



**IN THE COURT OF THE PRINCIPAL DISTRICT AND  
SESSIONS JUDGE AT MYSURU**

**Dated this the 13<sup>th</sup> day of March, 2026**

**PRESENT**

**Smt. Usharani, B.A.(Law), LL.B.,**  
Principal District & Sessions Judge,  
Mysuru.

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**Crl. Misc./386/2026**

- Petitioners:**
1. Channabasappa H.C. S/o. Late Channabasappa, aged about 62 years.
  2. Nataraju N. S/o. Nagappa, aged about 50 years,

Both are R/at. Hullemala Village, Kandalike Hobli, H.D. Kote Taluk, Mysuru District.

**(By Sri N Ramanayaka, Advocate)**

**Vs.**

**Respondent:** State by Saraguru Police Station.

**(Rep. by the learned Public Prosecutor,  
Mysuru)**

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**ORDER**

The bail petition has been filed by the petitioners/accused No.1 and 2 seeking anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS' for short) in Crime No.18/2026 of respondent Police Station, registered for the offences punishable under Sections 352, 126(2), 118(1), 115(2), 351(2) R/w. Section 3(5) of Bharatiya Nyaya Sanhita, 2023 ('BNS' for short).

2. The brief facts of the case are that, parents of the complainant have partitioned the property among children equally and during the life time of their father, he had executed WILL in respect of land bearing Sy. No.63 measuring 2 acres in favour of wife of complainant. Complainant is in possession of 3 acres, out of 5 acres in the said survey number. In this regard, his elder sister has filed A.C. No.70/2021 and after enquiry, same was decreed

in his favour on 29.11.2025. Thereafter he got surveyed the land on 12.02.2026 at about 11.00 a.m., at that time accused persons have caused obstruction. Thereafter when he returned to his land for work, accused No.1 and 2 abused him in filthy language. Then accused No.1 has wrongfully restrained him by preventing from moving further and accused No.2 has assaulted him with club and then kicked him. The persons who are working near by have rescued him. Accused persons have also threatened to take away his life. One Mahadevappa from his village took him to Sargur Vivekananda Hospital, wherein he has given statement, based on which, FIR has been registered against the accused persons in Crime No.18/2026 for the aforesaid offences.

3. The grounds urged by the petitioners for grant of bail are as follows:-

Petitioners are innocent of the alleged offences and law abiding citizens. Petitioner No.1 is the aged person and

suffering from diabetes and petitioner No.2 has got wife and children to look after and they are earning by doing coolie work. They are the permanent residents of Hullemala Village, Kandalike Hobli, H.D. Kote Taluk, Mysuru District and they have got movable and immovable properties. They undertake to co-operate for investigation. The offences alleged are not punishable with death or imprisonment for life. Hence, prayed to grant them anticipatory bail.

4. On service of notice and after furnishing copies of petition, the learned Public Prosecutor has filed objections stating that, there is prima-facie case against the petitioners and alleged offence is non-bailable one and punishable with imprisonment for life and also fine. Investigation of the case is in progress and further conducting investigation for collection of evidence is necessary. If petitioners are enlarged on bail, they may destroy the prosecution evidence or induce the witnesses. Petitioners are absconding and hence, they are not entitled for bail. Therefore, prayed to reject the bail petition.

5. Heard the arguments of the learned counsel for the petitioners and the learned Public Prosecutor for the respondent.

6. The points arise for my consideration are as follows:

- 1) *Whether the bail petition filed by the petitioners under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 deserves to be allowed?*
- 2) *What order?*

7. My answers to the above points are as hereunder:

Point No.1: In the ***Affirmative***,  
Point No.2: As per final order  
for the following:

### **REASONS**

8. **POINT No.1**: Plain reading of the complaint reveals that incident said to have been occurred on 12.02.2026, whereas complaint was lodged on 13.02.2026. Further complaint also reveals that there is civil dispute between the parties and police have also conducted spot

mahazar in the case. Civil dispute exists between the parties led to filing of criminal case.

9. It is important to note here that, alleged offences are not punishable with death or imprisonment for life. Further, petitioners are the permanent residents of Hullemala Village, Kandalike Hobli, H.D. Kote Taluk, Mysuru District. Hence, question of petitioners absconding does not arise. Moreover, petitioners have undertaken to appear before the Court and abide by the conditions imposed by the Court and hence, apprehension of Public Prosecutor can be safeguarded by imposing conditions on the petitioners. Hence, point No.1 has been answered in the **affirmative.**

10. **POINT No.2:** For the reasons stated above, I proceed to pass the following:

**ORDER**

The petition filed by the  
petitioners/accused No.1 and 2 under Section

482 of Bharatiya Nagarik Suraksha Sanhita, 2023 is hereby **allowed**.

In the event of arrest of the petitioners by the respondent police in Crime No.18/2026 for the offences punishable under Sections 352, 126(2), 118(1), 115(2), 351(2) R/w. Section 3(5) of Bharatiya Nyaya Sanhita, 2023, they shall be released on bail on executing personal bond for Rs.50,000/- (Rupees fifty thousand only) each with a surety for the like sum subject to the following conditions :-

1) Petitioners shall not tamper the prosecution witnesses.

2) They shall move for regular bail application before the concerned Court within a month from the date of this order.

3) They shall not commit any offence.

4) They shall co-operate for investigation and appear before the Investigating Officer whenever directed.

(Dictated to the Tab, typed the same by the Stenographer Grade-III on Computer and after corrections, then pronounced by me in open Court on this the **13<sup>th</sup> day of March, 2026.**)

**(Usharani)**

Principal District & Sessions Judge,  
Mysuru.