

KAMS010019142026



IN THE COURT OF THE IV ADDL. DISTRICT & SESSIONS

JUDGE: MYSURU.

PRESENT

Sri P.J.Somashekar, B.A.,LL.M.,
IV ADDL. DISTRICT & SESSIONS JUDGE:
MYSURU.

Dated this the 28th day of March 2026

Crl.Misc./406/2026

Petitioners:

1.Sri Shivaramgowda
S/o Beeregowda,
Aged about 44 years

2. Sri Kunnegowda
S/o Doddegowda,
Aged about 70 years,

3. Sri Ravichandra
S/o Kunnegowda,
Aged about 34 years,

4.Sri Beeregowda
S/o Doddegowda,
Aged about 64 years,

5. Smt.Chikkathayamma
W/o Beeregowda,
Aged about 68 years,

6. Smt.Bharathi
W/o Kunnegowda,
Aged about 50 years,

7. Kum./Smt. Shilpa
D/o Shivaramgowda,
Aged about 36 years,

All are R/at Haradanahalli Village,
Bilikere Hobli, Hunsur Taluk, Mysuru
Dist.

**[By Sri B.S.Yoganandakumar -
Adv.,]**

V/s

Respondent/s

State of Karnataka,
Through Bilikere
Police Station,
Hunsuru taluk.
Mysuru District.

[Rep. By Public Prosecutor]

**ORDERS ON BAIL PETITION FILED U/SEC.482 OF
BHARATHIYA NAGARIKA SURAKSHA SANITHA ACT, 2023**

This is a petition U/Sec.482 of Bharathiya Nagarika Suraksha Sanitha, 2023 filed by the petitioners and sought for release them on bail in the event of their arrest by the respondent police in their police station Crime No.61/2026 for

the offences punishable U/Sec.352, 189(2), 126(2), 115(2), 54, 74, 118(1), 351(2), 351(3) R/w 190 of BNS, 2023.

2. **Nutshell of the petition are as under:**

The learned counsel for the petitioners in the petition has alleged that the respondent police have registered the case against the Petitioners in their police station Crime No. 61/2026 for the offences punishable U/Sec.352, 189(2), 126(2), 115(2), 54, 74, 118(1), 351(2), 351(3) R/w 190 of BNS, 2023 based on the false complaint which filed by one Smt. Suma B.S. W/o Ravishankara, aged about 29 years, Milk Dairy Secretary, Resident of Haradanahalli village, Bilikere Hobli, Hunsuru Taluk, Mysuru stating that she is residing in the above said address along with her husband and 2 children by doing as Milk Dairy secretary from 2021 at Haradanahalli village milk dairy. When she was working in a dairy on 24.02.2026 at 7.30 hours her villager namely Chikkabeerigowda S/o Shivamegowda, Ravichandra S/o Kunnegowda and Kunnegowda S/o Doddegowda were came to the dairy in connection of defeating of president election by the Kunnegowda wife made a false allegation as she being

the women secretary of the milk union and harassed her many times. Chikkabeerigowda's son Shivaramegowda, Ravichandra and Kunnegowda have said the said land belongs to them and they have lock the dairy away from here, Kunnegowda, Ravichandra, Shivaramegowda came and attacked her at that time her husband Ravishankar asked them why dairy has to be closed if the said land became yours show the document and order of the court and Kunnegowda came and bet her and scolded her with abusive words saying should put milk in the dairy and the said area belongs to them and locked the dairy, thereby she has informed her superior about locking of the dairy and then informed the elders of the village and the elders of the village Sippegowda S/o Karigowda, Revannegowda and Prakash pacified the matter and sent her away then she went to her father's house and on the same evening at about 7.30 p.m. when she was at dairy, Basavaraju, Ravichandra, Kunnegowda, Chikkaveeregowda, Bharathi, Chikkathayamma formed the unlawful assembly and asked Shivaramegowda why do you go to the dairy with a malacide intention of

creating a ruckus and why woman do this to men who are not woman. Basavaraju, Kunnegowda, Shivaramegowda, Chikkabeeregowa, Chikkathayamma and others shouted with indecent words when Ravichandra held her hands Kunnegowda gave a stick to finish it of. Basavaraj immediately kicked her to her stomach and hit him with his elbow and escape then hit her on her left hand and bangles causing pain. Chikkathayamma, Bharathi, Shilpa and Kunnegowda punched her on her body and on her hand meanwhile her husband came to get her out and complained to her husband. Bharathi insulting her and threatened to take away her life. Ramegowda, Kendaganya gowda, Naveen, Manila were rescued her from their clutches and threatened to take away her life. So, case was came to be registered against the petitioners and the petitioners were apprehending in the hands of the respondent police and filed the instant petition for the following :

GROUND

1. The Petitioners are innocent and law-abiding citizens and hails from respectable family having

a deep root in the society and they have not at all committed the offences which alleged against them.

2. The petitioners are permanent residents of the address as mentioned in the petition having a movable and immovable properties and they are only the earning members of their family.
3. The petitioners are falsely implicated only with the intention to harass the petitioners and offences which alleged against the petitioners are not punishable either life nor death and there is no criminal antecedents against the petitioners.
4. The petitioners under takes to available for investigation or interrogation made by the respondent and undertakes that they will not tamper nor hamper the prosecution witnesses.
5. The petitioners are ready to abide by the conditions which may be imposed by this court and ready to furnish the surety to the satisfaction of the court and prays for allow the petition.

3. In response to the notice, the learned P.P appeared and filed her objections stating that, the complainant being the milk dairy secretary filed the complaint in the complaint has clearly stated that on 24.02.2026 when the complainant was discharging her duties the petitioners were took up the quarrel with her in connection of defeating of 2nd petitioner wife in a presidential election. In connection of the same the petitioner No.1 to 3 came to the spot by saying that the place of milk dairy belongs to them they put the lock. Though the husband of the secretary has intervened and the petitioners were came with unlawful assembly and abused in filthy words and assaulted in their hands and the Investigating Officer after registering the case visited the spot and drawn panchnama in presence of panchas and seized the material objects which are used for commission of the offences and the petitioners were absconding from the date of incident and the offences which alleged against the petitioners are nonailable in

nature and the petitioners are the powerful persons having a political influence and prays to reject the bail petition.

4. Heard the arguments on both side.

5. The points that arise for Court consideration are as under:

1. Whether the petitioners are entitled bail at this stage as sought for?

2. What Order?

6. My answer to the aforesaid points are as under:

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

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

::REASONS::

7. **Point No.1 :** Before embarking on point No.1 it is just and necessary to narrate the gist of the case for the proper appreciation of the point No.1, as the complainant namely one Smt. Suma B.S. W/o Ravishankara, aged about 29 years, Milk Dairy Secretary, Resident of Haradanahalli village, Bilikere Hobli, Hunsuru Taluk, Mysuru stating that she

is residing in the above said address along with her husband and 2 children by doing as Milk Dairy secretary from 2021 at Haradanahalli village milk dairy. When she was working in a dairy on 24.02.2026 at 7.30 hours her villager namely Chikkabeerigowda S/o Shivaramgowda, Ravichandra S/o Kunnegowda and Kunnegowda S/o Doddegowda were came to the dairy in connection of defeating of president election by the Kunnegowda wife made a false allegation as she being the women secretary of the milk union and harassed her many times. Chikkabeerigowda's son Shivaramgowda, Ravichandra and Kunnegowda have said the said land belongs to them and they have lock the dairy away from here, Kunnegowda, Ravichandra, Shivaramgowda came and attacked her at that time her husband Ravishankar asked them why dairy has to be closed if the said land became yours show the document and order of the court and Kunnegowda came and bet her and scolded her with abusive words saying should put milk in the dairy and the said area belongs to them and locked the dairy, thereby she has informed her superior about locking of the dairy and then

informed the elders of the village and the elders of the village Sippegowda S/o Karigowda, Revannegowda and Prakash pacified the matter and sent her away then she went to her father's house and on the same evening at about 7.30 p.m. when she was at dairy, Basavaraju, Ravichandra, Kunnegowda, Chikkaveeregowda, Bharathi, Chikkathayamma formed the unlawful assembly and asked Shivaramegowda why do you go to the dairy with a malacide intention of creating a ruckus and why woman do this to men who are not woman. Basavaraju, Kunnegowda, Shivaramegowda, Chikkabeeregowa, Chikkathayamma and others shouted with indecent words when Ravichandra held her hands Kunnegowda gave a stick to finish it of. Basavaraj immediately kicked her to her stomach and hit him with his elbow and escape then hit her on her left hand and bangles causing pain. Chikkathayamma, Bharathi, Shilpa and Kunnegowda punched her on her body and on her hand meanwhile her husband came to get her out and complained to her husband. Bharathi insulting her and threatened to take away her life. Ramegowda, Kendaganya gowda, Naveen,

Manila were rescued her from their clutches and threatened to take away her life. So, case was came to be registered against the petitioners and the petitioners were apprehending in the hands of the respondent police and filed the instant petition.

8. The learned Counsel for the Petitioners in his arguments has submitted that the complainant has filed the false case against the Petitioners only with an intention to harass the petitioners and the petitioners are law-abiding citizens and they have not at all committed the offences which alleged against them, but a false case has been filed against the Petitioners. Though the offences which alleged against the petitioners are non-bailable in nature, but the same are not punishable either life nor death and the petitioners are ready to abide by the conditions which may be imposed by this Court and ready to furnish the surety to the satisfaction of the court and prays for allow the petition.

9. Per Contra, the learned Public Prosecutor in her arguments has submitted that the Petitioners were committed

the offences against woman, on this ground alone the petition is not maintainable and the offences which alleged against the Petitioners are non-bailable in nature, if the Petitioners were released on bail, there is a chances of tamper or hamper the prosecution witnesses and there is a chances of absconding from the jurisdiction of the Court and prays for reject the bail petition.

10. It is an admitted fact, the case was came to be registered against the Petitioners based on the complaint filed by the Complainant namely one Smt. Suma.B.S W/o Ravishankara, according to her the petitioners were formed the unlawful assembly and the petitioner No.2 put the lock of the milk dairy and the petitioner No.2 holding her hands to accommodate others to assault her and the petitioner No.2 has provided the club to assault her and one Basavaraj assaulted by means of club on her abdomen and kicked her. So for the proper appreciation of the averments of the complaint is necessary for reproduction which reads like thus:

"ದಿನಾಂಕ **24.02.2026** ರಂದು **7.30** ರ ಸಮಯದಲ್ಲಿ ನಾನು

ಡೈರಿಯಲ್ಲಿ ಕೆಲಸ ಮಾಡುತ್ತಿದ್ದಾಗ **2** ನೇ ಅರ್ಜಿದಾರರ ಹೆಂಡತಿ ಡೈರಿ ಅಧ್ಯಕ್ಷ ಚುನಾವಣೆಯಲ್ಲಿ ಸೋತಿದ್ದು ಈ ವಿಚಾರದಲ್ಲಿ ನನ್ನ ಮೇಲೆ ಇಲ್ಲ ಸಲ್ಲದ ಆರೋಪ ಮಾಡಿ ಅನೇಕ ಬಾರಿ ಗಲಾಟೆ ಮಾಡಿದ್ದು ಈ ವಿಚಾರದಲ್ಲಿ ಅರ್ಜಿದಾರರ **1** ರಿಂದ **3** ನೇ ರವರು ಈ ಜಾಗ ನಮಗೆ ಸೇರಬೇಕು ಇಲ್ಲಿಂದ ನಡೆ ಆಚೆ ಡೈರಿಗೆ ಬೀಗ ಹಾಕುವೆ ಎಂದು ಹಲ್ಲೆ ಮಾಡಲು ಮುಂದಾದಾಗ ನನ್ನ ಗಂಡ ರವಿಶಂಕರನು ಏಕೆ ಡೈರಿಯನ್ನು ಮುಚ್ಚಬೇಕು ಈ ಜಾಗ ನಿಮ್ಮದಾಗಿದ್ದರೆ ದಾಖಲೆಯನ್ನು ನ್ಯಾಯಾಲಯದಿಂದ ಆದೇಶವನ್ನು ತೋರಿಸಿ ಎಂದು ಕೇಳಿದಾಗ **2** ನೇ ಅರ್ಜಿದಾರ ಹೊಡೆಯಲು ಬಂದಿದ್ದು ಈ ಡೈರಿಗೆ ಯಾರು ಹಾಲನ್ನು ಹಾಕಬೇಡಿ ಇದು ನನ್ನ ಜಾಗ ಲೋಫರ್ ಸೂಳೆ ಮಗಳೇ ಎಂದು ಅವಾಚ್ಯ ಶಬ್ದಗಳಿಂದ ಬೈದು ಡೈರಿ ಜಾಗಕ್ಕೆ ಬೀಗವನ್ನು ಹಾಕಿದರು. ಈ ವಿಚಾರವನ್ನು ಮೇಲಾಧಿಕಾರಿಗಳಿಗೆ ತಿಳಿಸಿ ಊರಿನ ಯಜಮಾನರು ಬಂದು ಸಮಧಾನ ಪಡಿಸಿದ್ದು ಅದೇ ದಿನ ಸಂಜೆ **7.30** ರ ಸಮಯದಲ್ಲಿ ನಾನು ಡೈರಿ ಬಳಿ ಇರುವಾಗ ಅರ್ಜಿದಾರರೆಲ್ಲರೂ ಗುಂಪು ಕಟ್ಟಿಕೊಂಡು ಬಂದು ಡೈರಿಗೆ ಏಕೆ ಬಂದಿದ್ದೀಯಾ ಎಂದು ಅವಾಚ್ಯ ಶಬ್ದಗಳಿಂದ ಸೂಳೆ ಮಗಳೇ, ಲೋಫರ್ ಬಡ್ಡಿ ಮಗಳೇ ಒಂದು ಗತಿಯನ್ನು ಕಾಣಿಸುತ್ತೇನೆ ಎಂದು ರವಿಚಂದ್ರನು ನನ್ನ ಕೈಗಳನ್ನು ಹಿಡಿದುಕೊಂಡಾಗ ಕುನ್ನೇಗೌಡರು ದೊಣ್ಣೆಯನ್ನು ಕೊಟ್ಟು ಬಿಡಬೇಡ ಮುಗಿಸಿಬಿಡು ಎಂದು ಕುಮ್ಮಕ್ಕು ನೀಡಿ ಬಸವರಾಜನು ನನ್ನ ಹೊಟ್ಟೆಯ ಭಾಗಕ್ಕೆ ಒದ್ದು ಎಡಗೈಗೆ ಹೊಡೆದು ಬಳೆಗಳನ್ನು ಹೊಡೆದು ನೋವುಂಟು ಮಾಡಿದ್ದು”.

11. So, if the averments of the complaint as stated

above to show the conduct of the petitioner No.1 to 3 with a woman when she was discharging her duties as a milk dairy secretary in the same village. Admittedly the defacto complainant filed the objection stating that the petitioners are the powerful persons having a political influence and number of criminal cases are pending against the petitioners who are all having criminal antecedents and if they are released on bail there is a chances of tampering and hampering the prosecution witnesses and there is chances of absconding from the jurisdiction of the court. Now the question arises whether the petitioners having a criminal antecedents as the defacto complainant filed the FIR copies along with memo crime No.89/2025 of Bilikere P.S. reveals the petitioner No.1, 7, 4, 2 and petitioner No.5 are the accused and criminal case has been registered against them on the ground that they have committed the offences punishable under Sec. 189(2), 115(2), 118(1), 352, 351(2), 351(3), 76 R/w Sec. 190 of BNS as one Lakamma W/o Late Sannahidegowda being the complainant in which has clearly stated that the petitioners in connection of tap water took up the quarrel and set the fire

and assaulted the complainant and her family members because of that reason case has been registered against them.

12. The defacto complainant has also produced the FIR in which it is clear Bilikere P.S have registered the case in their police station crime No.56/2026 for the offences punishable under Sec. 126(2), 118(1), 351(2), 351(3), 54, 355 R/w Sec. 190 of IPC in which one Puttaswamygowda S/o Papegowda resident of Haradanahalli village filed the complaint against the petitioner No.3, 4, 2, 1, 6, 5, 7 and others in connection of president election and assaulted the complainant and family members by means of machete and other deadly weapons. Thus, one thing is clear the petitioners having the criminal antecedents. Now the question arises when court can reject the bail application. Thus, this court drawn its attention on the following points for consideration:-

1. Gravity of the offences.

2. Tampering with witnesses/evidence

3. Criminal Antecedent

4. Risk of absconding

5. Pending investigation.

13. Admittedly, if the FIRS filed against the very petitioners are clear that the petitioners having criminal antecedents. It is an admitted fact the very petitioner No.4 namely Beeregowda, petitioner No.2 Kunnegowda, petitioner No.3 Ravichandra were filed the bail petition under Sec. 482 of BNS in crime No. 89/2025 of Bilikere P.S. and sought for anticipatory bail orders and the said petition was came to be allowed on 28.03.2025 and in the said order this court imposed the following conditions:

1. The Petitioners are ordered to be released on anticipatory bail on executing personal bond for Rs.50,000/- (Rupees Fifty Thousand only) each and a surety for like sum.

2. The Petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him/her from disclosing such facts to the Court or to any Police Officer.

3. The Petitioners shall not leave the jurisdiction of the Mysuru District till filing the final Report without prior

**permission of the concerned JMFC.,
Court.**

**4. The Petitioners shall co-operate with
Investigating Officer for investigation.**

**5. The Petitioners shall not indulge in
similar offence in future.**

**In the event of violation of any of the
condition, the anticipatory bail granted
to Petitioners shall automatically stands
cancelled.**

14. The above conditions which imposed by this court in Crl.Mis No. 464/2025 are very much clear that this court allowed the application by imposing conditions out of the said condition one of the condition is the petitioners shall not indulge in similar offence in future but the reasons best known to the petitioners though this court granted the bail order by imposing conditions even then the petitioners have violated the said condition as the present FIR has been came to be registered against the petitioner on 25.02.2026 that is after obtaining the bail order that it self is clear the petitioners are having a criminal antecedents even though this court directed them not to indulge in similar offences in

future it shows that they are not the law abiding citizens otherwise they would have realized that they should not indulge in similar offences in future.

15. It is an admitted fact the defacto complainant filed the xerox medical records to show because of man handling of the defacto complainant has sustained injury to the abdomen as mentioned in the medical records. Admittedly there are materials on record which are prima facie evident to prove that there is a likelihood of the petitioners involvement of the offences which alleged against them at this stage. Thus this Court drawn its attention on the Judgment of Hon'ble Supreme Court of India reported in **AIR 2013 SC 2821 in between Nimmagade Prasad Versus CBI**. In the said Judgment their lordship held that granting the bail should be avoided if there is reasonable apprehension of the Accused obstructing the justice by tampering with the evidence.

16. In the instant case, if the averments of the complaint and criminal antecedents of the accused if the

Petitioners are released on bail there is chances of tampering and hampering the prosecution witnesses, therefore, the principle laid down in the above Judgment is applicable to the case on hand. Admittedly, the offences alleged against the Petitioners for the offence punishable under Sec. 74 and 118(1) are non-bailable in nature triable by this court. Hence, I am of the opinion that the ***Point No.1 is answered in the Negative.***

17. **Point No.2:** In view of my answer to the Point No.1 as stated above, I proceed to pass the following;

::O R D E R::

Bail petition filed under Sec.482 of
BNSS, 2023 is hereby ***Rejected.***

(Dictated to the Typist directly on the computer, corrected and then pronounced by me in the Open Court, on this the **28th day of March 2026**)

(P.J. Somashekar)
IV Addl. District & Sessions Judge,
Mysuru.