

KAMS010022042026



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

Dated this the 2nd day of April, 2026

PRESENT

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

Crl.Misc./456/2026

Petitioner/s: 1. Sri Ramesh T,
S/o Thiammaiah,
Aged about 52 years,
Residing at :
House No. 585, 2nd Cross,
E&F Block, Ramakrishnanagara,
Mysuru – 570 022.

Resident of :
Kergalli Village,
Jayapura Hobli,
Mysuru Taluk and District.

2. Sri Kumara,
S/o Thimmaiah,
Aged about 45 years,
Residing at : House No.39,
Lingabuddi Palya,
Srirampura Post,
Mysuru – 570 008.

Resident of :
Kergalli Village,
Jayapura Hobli,
Mysuru Taluk and District.

3. Sri Shivamurthy R,
S/o C Ramegowda,
Aged about 32 years,
Residing at:
Singara Maranahalli Village,
Singara Maranahalli Post,
Bilikere Hobli, Hunsur Taluk,
Mysuru District – 571 189.

Resident of :
Kergalli Village,
Jayapura Hobli,
Mysuru Taluk and District.

**[By Sri Mohanraju S P,
Advocate]**

V/s.

Respondent: State by Jayapura Police Station,
Mysuru District
Represented by
Public Prosecutor,
Mysuru District.

ORDERS

The bail petition is filed by the petitioners under Section 482 of Bharatiya Nagarika Suraksha Sanhita, 2023 ['BNSS 2023' for short] seeking anticipatory bail in Crime No.43/2026 of respondent Police Station, registered for the offences punishable under Section 352, 126[2], 115[2], 118[1], 54, 119[1] R/W Section 3[5] of Bharatiya Nyaya Sanhita, 2023 ['BNS' for short].

2. The brief facts of the case are that, complainant is the owner of land bearing Sy.No.271/10 and 271/11 measuring at 1 acre 30 gunta at Kergalli village and on 8.3.2026, he left his cows for grazing and hence, when he went in the evening to tether them, he found accused No.1 and 2 allowed their cows to graze the grass grown by him at his farm. Hence, he had questioned them, at that time, they abused him in filthy language, accused No.1 held his collar, slapped him, accused No.2 assaulted him on his head with club, accused No.3 instigated them to assault him. When he raised voice, his son Shamanth went to rescue him, accused No.1 had held his collar, dragged him and assaulted him and also took away his gold chain. Prashanth M, Dattagalli had pacified the galata. Thereafter they took treatment at Adithya Sanjivini Multispeciality Hospital. Then Police have taken the statement of complainant, based on which, F.I.R. has been registered in Cr.No.43/2026 by the respondent Police for the offences punishable under Section 352,

126[2], 115[2], 118[1], 54, 119[1] R/W Section 3[5] of BNS, 2023.

3. The grounds urged for the bail are that, no incident has been occurred as alleged in the charge-sheet and in the matter of cows grazed in their land, there was skirmishes and hence, complainant has lodged false complaint. The respondent Police are making efforts to arrest them and hence, petitioners are under fear. They are from respectable family and law abiding citizens. They have movable and immovable properties in the address given in the cause title and they have the responsibility to maintain wife and children. They have no criminal antecedents and alleged offences are not punishable with death or imprisonment for life. Hence, prayed to grant them 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 the alleged offence is punishable with

imprisonment and also with fine. The weapon used for commission of an offence has been seized. Investigation of the case is not completed and hence, if bail is granted to accused persons at this stage, they may destroy the prosecution evidence and delay the process of law and may abscond and hence, petitioners are not entitled for bail.

5. Heard the arguments of the learned Advocate 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 BNSS, 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 after the incident, complainant and his son took treatment at Adithya Sanjivini Hospital and on the next day, he has lodged the complaint. But, on deep going into the complaint, it reveals endorsement at the bottom of the complaint which reveals that "on 9.3.2026 at about 9.15 to 10.00 am, complainant and his son, admitted to Adithya Sanjivini Hospital where, in the presence of doctor, HC 300 had recorded the statement". Thereafter HC 300 returned to Police Station at about 10.30 am and given the same to Station House Officer, who has registered the F.I.R. Hence, there is no clarity regarding when exactly Complainant and his son admitted to hospital and taken treatment.

9. It is also important to note here that materials show that parties might have had minor skirmishes in the matter of their cows entered other's land and it ended in filing the complaint.

10. Further the alleged offences are not punishable with death or imprisonment for life and triable by Court of Magistrate. Moreover, petitioners have movable and immovable properties at the address given in the cause title. Hence, question of absconding does not arise.

11. The petitioners are apprehending arrest by the respondent Police. Since they are from respectable family, if bail is rejected, the very purpose of filing of this petition will be frustrated. Therefore, apprehension of the petitioners can be safeguarded by imposing conditions.

12. For the afore-discussed facts, petitioners are entitled for bail. Therefore, point No.1 is answered in the **affirmative.**

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

ORDER

This petition filed by the petitioners/accused No.1 to 3 under Section 482 of BNSS, 2023 is hereby **allowed.**

The respondent police is directed to release the petitioners on bail on their executing personal bond for Rs.50,000/- (Rupees Fifty Thousand only) each with one surety for the like sum to the satisfaction of the respondent police in the event of their arrest in the case in Crime No.43/2026 of the respondent police for the offences punishable under Sections 352, 126[2], 115[2], 118[1], 54, 119[1] R/W Section 3[5] of BNS, 2023 subject to the conditions that:

1. The petitioners shall not tamper the prosecution evidence.
2. They shall move for regular bail application before the concerned Court within a month from 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 Gr-I on Computer and after corrections, pronounced by me in open Court on this the **2nd day of April, 2026**].

[USHARANI],
Principal District & Sessions Judge,
Mysuru.