

KAMS010024582026



Crl.Misc./501/2026

**IN THE COURT OF THE IV ADDL. DISTRICT & SESSIONS  
JUDGE: MYSURU.**

**Dated this the 6<sup>th</sup> day of April 2026**

**PRESENT**

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

**Crl.Misc./501/2026**

**Petitioner:** Sri Vinodh Kumar D.P @ Vinodh  
S/o Late Puttamadaiah,  
Aged about 36 years,  
Residing at  
Doddebagilu Village,  
Sosale Hobli,  
T.Narasipura Taluk,  
Mysuru.

[By Sri **Mahesha S**-Adv.,]

**V/s**

**Respondent/s** State of Karnataka,  
Through T.Narasipura  
Police Station,  
Nanjangud Sub-Division,  
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, filed by the petitioner and sought for release him on bail in the event of his arrest in Crime No.98/2026 of T.Narasipura Police Station for the offences punishable U/Sec. 74, 133, 352, 351(2), 115(2) of BNS,2023.

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

The learned counsel for the petitioner in the petition has alleged that the respondent police have registered the case against the petitioner based on the complaint filed by one Smt.Shivamma W/o Dinakar D.P, 51 years, Residing at Doddebagilu Village, T.N.Pura Taluk, Mysuru District stating that she is residing in the above said address along with family members on 17.03.2026 at 7.30 a.m. Vinod S/o Puttamadaiah, R/of Doddabagilu village was came in his motor cycle when she was doing the work in front of her house dashed against her and thereafter holding her hair and

dragged her with an intention to outrage her modesty thereby she was shouting, on hearing the shouting Nalini was came to rescue her from his clutches, even then kicked her in his shoe and pressed her neck by putting his leg and again dragged her by holding her hair as a result she has sustained injury on her elbow and her husband came to the spot Vinod holding her shirt and abused in filthy words and threatened to take away his life and she was unconscious thus, her husband, Mangala and Kiran were took her to government hospital T. Narasipura and took the treatment. So, based on the said complaint case was came to be registered, thereby the petitioner is apprehending in the hands of the respondent police and filed the instant petition on the following:-

**:::GROUNDS:::**

1. The petitioner is innocent and law-abiding citizen and he has not at all committed the offences which alleged against him and he has been falsely implicated with an intention to harass the petitioner.

2. The petitioner is the agriculturist and he is only the bread earner of the family if the petitioner is arrested and detained in the judicial custody not only the Petitioner but also his family members will be put to irreparable loss and injustice.
3. The Petitioner is the permanent resident of the address as mentioned having deep root in the society.
4. The petitioner hails from respectable family and he has not committed any offences as alleged and ready to abide by all the conditions which may be imposed by this 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 bail petition which filed is not maintainable either in law or facts, and the Investigating Officer has already registered the case and visited the spot and drawn the panchanama in the presence of the panchas and seized the material objects which are used for the commission of the offence and yet to record the statement of the witness and collect the

materials, if the Petitioner is released on bail, there is a chances of tampering and hampering the prosecution witnesses and facts which alleged in the petition are far away from truth, the Petitioner is powerful person if released on bail there is chances of tamper and hamper the prosecution witnesses and prays for 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 petitioner is 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 Affirmative.**

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 it is the specific case

of the prosecution that one Smt.Shivamma W/o Dinakar D.P, 51 years, Residing at Doddebagilu Village, T.N.Pura Taluk, Mysuru District stating that she is residing in the above said address along with family members on 17.03.2026 at 7.30 a.m. Vinod S/o Puttamadaiah, R/of Doddabagilu village was came in his motor cycle when she was doing the work in front of her house dashed against her and thereafter holding her hair and dragged her with an intention to outrage her modesty thereby she was shouting, on hearing the shouting Nalini was came to rescue her from his clutches, even then kicked her in his shoe and pressed her neck by putting his leg and again dragged her by holding her hair as a result she has sustained injury on her elbow and her husband came to the spot Vinod holding her shirt and abused in filthy words and threatened to take away his life and she was unconscious thus, her husband, Mangala and Kiran were took her to government hospital T. Narasipura and took the treatment. So, based on the said complaint case was came to be registered, thereby the petitioner is apprehending in the

hands of the respondent police and filed the instant petition.

8. The learned Counsel for the Petitioner in his arguments has submitted that the complainant has filed the false case against the Petitioner only with an intention to harass the petitioner and the petitioner is the law-abiding citizen and she has not at all committed the offences which alleged against her, but a false case has been filed against the Petitioner. Though the offences which alleged against the petitioner are non-bailable in nature, but the same are not punishable either life nor death and the petitioner is 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 Petitioner is committed the offences against woman, on this ground alone the petition is not maintainable and the offences which alleged against the Petitioner are non-bailable in nature, if the Petitioner is 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 Petitioner based on the complaint filed by the Complainant namely one Smt. Shivamma W/o Dinakar D.P., According to her, the petitioner was came in his motor cycle when she was working infront of her house dashed against her and dragged her by holding her hair and kicked her in his leg and pressed her neck by putting his leg and threatened to take away her life. But at this stage, the Court cannot conduct the mini trial to know whether the petitioner has committed the offences or not as it requires full fledged trial. But at this stage, Court has consider only prima facie materials which placed by the prosecution to know whether the materials placed on record prima facie are reflects to believe the reasonable grounds to know the guilt of the petitioner, but at this stage the materials which placed on

record by the prosecution are not reflecting to believe the reasonable ground about guilt of the petitioner.

11. It is an admitted fact the Respondent Police have registered case against the Petitioner for the offences punishable U/Sec.74, 133, 352, 351(2), 115(2) of BNS, 2023 and out of the said offences the offence U/Sec. 74 of BNS is only the non-bailable offence, rest of the offences which alleged against the petitioner are bailable in nature, though offence under section U/Sec. 74 of BNS is non-bailable in nature and the same is less than 7 years imprisonment triable by this court. Thus this Court drawn its attention on the Judgment of the **Hon'ble Supreme Court of India reported in 2021 SCC online SC 922 in between Satender Kumar Antil V/s Central Bureau Of Investigation and another.** In the said Judgment their lordship held if bail application are pertaining to cases where the punishment is provided upto 7 years of imprisonment the same may be disposed off without taking accused into

**Crl.Misc./501/2026**

custody and their Lordship categorized the offences as mentioned below:-

**a) Offences punishable with imprisonment of 7 years or less not falling in category B & D.**

**(b) Category offences punishable death imprisonment for life or imprisonment for more than 7 years.**

**(c) Offences punishable under Special Acts containing stringent provisions for bail like NDPS, PMLA, UAPA , Companies Act, , etc. Economic offences not covered by Special Acts.**

12. In the instant case also the offences which alleged against the Petitioner is less than 7 years, therefore, above Judgment is applicable to the case on hand.

13. The learned Public Prosecutor while canvassing her arguments has much argued that, the petitioner and others

**Crl.Misc./501/2026**

committed the offences against the woman, thereby the Petitioner is not entitled the relief as sought for. Thus, this Court drawn its attention on the Judgment of the ***Hon'ble High Court of Karnataka passed in Crl.P.No.2743/2025*** in between ***Narayana Reddy and Others V/S State by Pavagada police*** in the said judgment initially the petitioners were filed the petition under Sec.438 of Cr.P.C and sought for Anticipatory bail for the offences punishable under Sec.115(2), 117(2), 54, 133, 324(4), 351(2), 352, 109 R/w Sec.190 of BNS., and said petition was came to be rejected by the jurisdictional Sessions Court feeling aggrieved by the said order approached the Hon'ble High Court and in the said judgment his Lordship held that none of the accused persons have any criminal antecedents, admittedly the prosecution has not placed any materials on record to show that the petitioner having any criminal antecedents and moreover, the offences which alleged against the petitioner are less then 7 years imprisonment. Thus, considering the apprehension of the prosecution and

**Crl.Misc./501/2026**

the materials on record it is just and necessary to allow the petition by imposing stringent conditions it will meet the ends of justice. Hence, I am of the opinion that the **Point No.1** is answered in the ***Affirmative***.

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

**ORDER**

Bail petition filed under Sec.482 of BNSS by the petitioners is hereby ***Allowed***.

The petitioner is ordered to be released in the event of her arrest by the Respondent Police, if not required in relation to any other offence, in Cr.No.98/2026 for the offences punishable U/Sec.74, 133, 352, 351(2), 115(2) of BNS, 2023 on his executing personal bond of Rs.50,000/- with one surety for like-sum on the following:

**Crl.Misc./501/2026**

**::CONDITIONS::**

1. The petitioner shall not directly or indirectly make any inducement, threat, promise to any person acquainted with the facts of the case, so as to dissuade them from disclosing the facts to Court or any police officer.

2. The petitioner shall not abscond from the ordinary residence and should furnish the address proof to the concerned police.

3. The petitioner shall appear before the I.O. within 10 days from the date of this order.

4. The petitioner shall mark his attendance before the I.O in between 10.00 a.m., to 6.00 p.m., once in a week till filing of charge sheet or till further orders which ever is earlier.

**Crl.Misc./501/2026**

If any of the above conditions violated,  
the IO is at liberty to move for  
cancellation of bail.

(Dictated to the Typist directly on computer, corrected and then pronounced by  
me in the Open Court, on this the **6<sup>th</sup> day of April, 2026**]

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