

KAMS010043282026



Crl.Misc./908/2026

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

::PRESENT::

Sri Anantha H. B.Sc., LL.B., PGDCL & IPR.,

Dated this the 19th day of June 2026

Crl.Misc./908/2026

Petitioners:

1. Sri Mahadevu K
S/o Late Karigowda,
Aged about 65 years,
Residing at
No.355/A, 15th Cross Road,
9th Cross, Near Ganesh Bandar,
T.K.Layout,
Saraswathipuram,
Mysuru-570 009
2. Smt.Sujatha
W/o Mahadevu K
Aged about 57 years,
Residing at
Jayapura Hobli,
Dasanakoppalu Village,
Mysuru Taluk,
Mysuru District-26
3. Sri Ajay M
S/o Mahadevu K,
Aged about 34 years,

Residing at
Dasanakoppalu Village,
Mysuru Taluk,
Mysuru District-26

[By Sri Vasanth H Akkivalli-Adv.,]

V/s

Respondent/s

State of Karnataka,
Through Saraswathipuram
Police Station,
Mysuru city.

[Rep. By Public Prosecutor]

ORDERS ON BAIL PETITION FILED U/SEC.482 OF
BHARATHIYA NAGARIKA SURAKSHA

The petitioners' counsel has filed this petition U/ S.482 of Bharatiya Nagarika Suraksha Sanhitha, 2023 seeking an order to release the petitioners on bail in the event of their arrest in Cr.No.52/2026 for the offence punishable U/Sec.108 R/w.Sec.3(5) of Bharatiya Nyaya Sanhita, 2023.

2. In the petition, learned counsel for petitioners has narrated the facts of the case in brief and further stated that the petitioners are innocents, law abiding citizens and have not committed any

offence as alleged in the complaint. They have been falsely implicated in this case. Petitioner No.1 and 2 are senior citizens suffering from age old disease, Petitioner No.3 is Professor and he has to look after his wife and small kid. Complainant lodged the false complaint at the instigation of other persons and the Petitioners are having movable and immovable properties. Petitioners are the permanent resident of the address mentioned in the cause title. The petitioners are ready to offer substantial surety to the satisfaction of the court and also ready to abide by the terms and conditions that may imposed by this court/ Investigating Officer, if, they are released on bail. Hence, prayed for allowing the petition.

3. The learned Public Prosecutor has filed objections to the bail petition. In the objection statement, learned P.P. has narrated the facts of the prosecution case in brief and further stated that ther is prima-facie material, there are reasonable grounds to believe that the petitioners have

committed the offence punishable U/Sec.108 R/w.Sec.3(5) of Bharatiya Nyaya Sanhita, 2023. The offence alleged against the Petitioners are serious in nature, non bailable offences, and punishable with life imprisonment or imprisonment for 10 years and fine and triable by the Sessions Court. The Petitioners have been absconding from the date of commission of offence, investigation is at preliminary stage. Yet to record the statement of the witnesses and to collect the material object. The Petitioners are influential persons, if they are released on bail, there is every chance of their abscondance, and may threaten the prosecution witnesses and destroy the evidence. Hence, prayed for rejection of the bail petition.

4. Heard the arguments of both sides.

5. The following points arise for my determination:

- 1. Whether the petitioners are entitled for anticipatory bail as prayed in the petition?*
- 2. What order?*

6. My Findings on the above points are as follows:-

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

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

::R E A S O N S::

7. **Point No.1:-** The nutshell of the prosecution case is that the on 08-06-2026 at about 08.30 a.m., the complainant lodged the complaint stating that he is residing with his family by doing agricultural work and he had two children, and about 11-12 years back, he got married his elder daughter Sandhya to Akshay, S/o Mahadev resident of 7th Main, 7th Cross, D.No.39, Saraswathipuram, Mysore and out of their wedlock they have two children i.e. Shreyas- 10 years and Nakshatra 7 years, and his daughter Sandhya is house wife and recent days she used to prepare food and to deliver the same to PG with her husband, and it is further alleged that his son-in-law Akshay fraudulently married his daughter by saying that he is working in a private company,

and at the time of marriage, complainant had given dowry of 400 gms gold and 1 and 1/2 kg of silver to his son-in-law, and recently gave 10 lakhs as dowry and after knowing his daughter marriage has been done by lying, they talked many times, but it did not work out, therefore, in the year 2022 their marriage was dissolved by divorce. Thereafter, after one year again Akshay and his family members convinced his daughter for marriage and Akshay married his daughter again at the sub-registrar's office, at that time, Akshay's family members i.e. his father Mahadeva, mother Sujatha and brother and younger uncle Krishnegowda, Manju and others came together and held a compromise and said that they will take responsibility of complainant's daughter stating that they would not cause any trouble henceforth and took complainant's daughter. But, after this also his son-in-law did not change, instead of going to work outside, he stayed at home and listened to his parents and younger brother, every day he come home in drunken condition, used to make noise, and

torture his daughter and grandchildren without giving them food or clothes and when his daughter visit his house used to tell about the harassment, and at that time, he used to help his daughter financially many times. Then on 07.06.2026 at about 05.48 p.m., his daughter called him and she was very sad and informed that her husband and his family members still torturing her, at that time he advised everything is going to be alright. Next day morning, when he went to open the shop door near his house, his son-in-law Akshay called him over mobile and told that Sandhya had committed suicide at home by hanging, then complainant along with his relatives went to his daughter's house and saw that his daughter dead body was hanging from the ceiling fan in the house and there is a suspicion that his son-in-law Akshay, his father Mahadev, mother Sujatha and brother Ajay all together might have harassed and murdered his daughter and hence he lodged complaint.

8. Based on the said complaint a case came to be registered in Cr.No.52/2026 for the offence

punishable U/Sec.108 R/w.Sec.3(5) of Bharatiya Nyaya Sanhita, 2023. Section 108 R/w.Sec. 3(5) of BNS is non-bailable in nature and triable by Court of session and the said offence is not punishable either with death or imprisonment for life.

9. After registered the case in Cr.No.52/2026, the Investigating Officer has commenced the investigation and conducted spot mahazar and further investigation is in progress.

10. Learned counsel for petitioner has produced certified copies of order sheet, FIR, complaint, remand application. Per contra, learned Public Prosecutor has produced the I.O. report along with objections.

11. Perused the records placed before this Court. On perusal of the records, it is evident that, the Accused No.2 to 4 / Petitioners are residing at different address when the alleged incident happened. It is further noted that Petitioner No.1 and 2 are senior citizens suffering from age old disease,

Petitioner No.3 is Professor and he has to look after his wife and small kid. It appears that there is no direct act of instigation by the present petitioners which led to the victim suicide. The allegations levelled against the petitioners are all question of facts, which needs to be proved by the prosecution at the time of full fledged trial. Whether Petitioner No.2 to 4 involved in the incident or not can only be ascertained at the time of full fledged trial. Petitioners are the permanent residents of the address mentioned in the cause-title of the petition. The apprehensions of the prosecution is that if the anticipatory bail is granted, they may abscond, they may hamper the trial, tamper the prosecution witnesses. These apprehensions of learned Public Prosecutor can be meted out by imposing suitable and stringent conditions. With these observations, I answer **point No.1** in the ***Affirmative***.

12. **Point No.2:-** In view of findings on point No.1, this Court proceeds to pass the following:-

::O R D E R::

The petition filed on behalf of petitioners U/S.482 of BNSS, is hereby **allowed.**

The petitioners are ordered to be released on bail on their executing personal bond for Rs.1,00,000/- each with one surety for the like-sum in the event of their arrest by the respondent police in Cr.No.52/2026 for the offences punishable U/Ss.108 R/w.Sec.3(5) of bns, 2023, subject to the following:

:CONDITIONS:

1. The petitioners shall appear before the I.O. within 20 days from the date of this order and to co-operate with Investigation Officer during the time of investigation.
2. They shall not tamper or threaten the prosecution witnesses in any manner.
3. They shall not commit any kind of offences.
4. They shall appear before the concerned Court on all hearing dates.
5. They shall mark their attendance in the respondent Police Station on every alternate day between 10.00

a.m. to 6.00 p.m. till filing of charge sheet or until further orders which ever is earlier.

6. They shall produce their ID and address proof documents while furnishing the surety and also to intimate any changes in address to the concerned court as well as the concerned police.

If any of these conditions are violated by the petitioners, the prosecution is at liberty to file an application for cancellation of bail.

(Dictated to the Stenographer directly on computer, corrected by me and then pronounced by me on this the **19th day of June, 2026**).

(ANANTHA H)

IV Addl. District & Sessions Judge,
Mysuru.