

KAMS010036732026



Crl.Misc./745/2026

**IN THE COURT OF THE I ADDITIONAL DISTRICT &
SESSIONS JUDGE AT MYSURU**

Dated this the 8th day of June 2026

**Present: Smt.Sandhya Rao.P., B.Sc., LL.B.
I Addl. District & Sessions Judge
Mysuru**

**Crl.Misc./745/2026 c/w Crl.Misc./775/2026
and Crl.Misc./789/2026**

Petitioner : Mohammed Umeer @ Umer,
(in Crl.Misc./745/26) s/o Mohammed Iqbal,
Age: 25 years, r/at # 543/A,
Usmaniya 'C' Block,
Ghousiya Nagar, Mysuru.

Petitioner : Mohammed Jamsheed @ Jamsid ,
(in Crl.Misc./775/26) s/o Mohammed Javeed,
Age: 23 years, r/at # 595,
Usmaniya Block,
Ghousiya Nagar, Mysuru.

Petitioner: Sabir s/o Sardar Pasha,
(in Crl.Misc./789/26) Age: 20 years, r/at # 57,
Sri Kanteshwara Road,
Smasana Back Side, KN Pura,
Mysuru-19.

**[By Sri/Smt.AR, PTR and MAK
Advocates]**

v/s

Common Respondent: State by Mysuru South
Police Station,
Mysuru.

[By learned PP]

Common Orders on Bail Petitions
under Section 483 of BNSS 2023

The petitioners/accused Nos.1, 2 and 6 have filed their respective petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, seeking grant of regular bail in Cr.No.0162/2026, of Mysuru South Police Station, registered for the offences punishable under Section 310 (4) of Bharatiya Nyaya Sanhita, 2023 and Section 25 (1B) (b) of the Indian Arms Act.

2. As the above said accused persons have filed these petitions in respect of the common offences alleged against them, all these petitions are clubbed together and a common order is passed.

3. The substance of the allegation against the petitioners/accused Nos.1, 2 and 6 is that; on 18.05.2026 HC.No.113-Imranuddin of Rammanahalli Sub Station of Mysuru submitted a report stating that on the same day

at about 10 AM in the morning, himself along with AHC 117-B.P.Sanjay and sub-station home guard HG 325-Aziz Ur Rehaman were on patrolling duty near VTU college falling with the jurisdiction of Rammannahalli Sub-Station. At that time they received a credible information that near Vardhaman Layout on Sathagalli road heading towards Henchya Channel, 5 to 6 individuals, were in possession of dangerous weapons and were planning/preparing to commit criminal act. Accordingly, he along with ACH 117 and HG 325, went to the spot at 10.30 AM and saw six persons standing along with two motorbikes. On seeing them, the said persons tried to run away. They were able to catch hold of two of them while four others managed to escape. On enquiring the apprehended, they revealed their names and addresses and so also that of their accomplices. Further, on verification of offending vehicles i.e., Hero Maestro Scooter bearing Reg.No.KA-55-Q/7415 and TVS Radeon Bike bearing Reg.No.KA-55-ED/4195 a plastic bag containing dangerous weapons such as iron long, one iron chain ring rod and one iron mace with wooden handle were found. On enquiry, the apprehended persons did not give any satisfactory explanation for having in their possession the dangerous weapons. Hence, the apprehended persons along with seized vehicles and plastic bag containing

weapons were brought to the police station for further action.

4. On receipt of the aforesaid FIS, an FIR was registered in Cr.No.162/2026, for the offences punishable under Section 310 (4) of Bharatiya Nyaya Sanhita, 2023 and Section 25 (1B) (b) of Indian Arms Act for allegedly making preparations for committing a criminal act. The petitioners are in JC.

5. In the back drop of registration of the aforesaid case, the petitioners have moved these petitions respectively stating that they are innocent and law abiding citizens and have not committed any offence as alleged against them and they have been falsely implicated in this case. The petitioners are having aged parents, wife and children. The petitioner are in JC since their arrest and their further detention will cause great hardship to them and their parents and other family members as the petitioners are the sole earning members of their respective family. The petitioners are having respectable family background and deep roots in the society. They are ready to abide by any condition that may be imposed by this Court for granting bail and also to offer surety. They undertake not to tamper with the prosecution witnesses, not to flee away from the hands of justice and to appear

before the Court on all dates of hearing without fail. On the said grounds they prayed to enlarge them on regular bail.

6. Per contra, the learned Public Prosecutor has filed her detailed objections contending that from the investigation so far and the materials collected reveals the involvement of the petitioners/accused Nos.1, 2 and 6 in the commission of grievous offences as alleged against them. It is further contended that the Investigation Officer after registration of FIR has conducted the spot panchanama and seized the offending vehicles and a plastic bag containing weapons and recorded the voluntary statement of the accused persons. Finger prints of the accused persons along with the seized material objects have to be sent to FSL for examination and to obtain the report thereon. Documents pertaining to the place of offence and statements of eye witnesses and circumstantial witnesses is to be recorded. It is further contended that the petitioner/accused No.6 is an habitual offender. At this stage, if bail is granted there are chances of tampering of prosecution witnesses; there is every chance of committing similar offences and likelihood of the petitioners absconding and not appearing before the Court which will cause delay in conducting the trial. The

accused persons are in JC and the remaining accused are still absconding. The petitioners have not produced any documents with regard to his identification and address. Among these grounds, prosecution prays to reject the bail petition.

7. Heard the counsel for petitioner and the learned Public Prosecutor. Perused the materials available on record.

8. In the aforesaid background, the following point arises for the consideration of this court:

Whether the petitioners are entitled for grant of bail under Section 483 of BNSS as sought for respectively?

9. This Court answer's the above point in the ***Negative*** for the following;

REASONS

10. On careful perusal of the materials on record, it is seen that, the petitioners are alleged to have committed the offences punishable under Section 310 (4) of Bharatiya Nyaya Sanhita, 2023 and Section 25 (1B) (b) of Indian Arms Act.

11. The case of the prosecution is that on 18.05.2026 the complainant-police have received a credible information from the informants that near Vardhaman Layout on Sathagalli road heading towards Henchya Channel, 5 to 6 individuals (apprehended/accused along with other co-accused) were at the spot along with their motorbikes and in possession of dangerous weapons such as iron long, iron chain ring rad and an iron mace with wooden handle are planning/preparing to commit an criminal act of extortion and dacoity.

12. The counsel for the petitioner has vehemently contended that, there are discrepancies in the investigation regarding the involvement of the petitioner in the commission of the alleged offences. The alleged spot from where the accused were apprehended being a busy area with educational institutions nearby, it is highly unlikely that the petitioners would plan for a sinister act at such a place. It is only natural that such criminal acts are hatched or designed at an inconspicuous place. The narration of the facts in the FIS clearly indicates that it is drafted with an intention of falsely implicating the accused with an ulterior motive.

13. As per the allegations set forth in the FIR, serious charges have undeniably been made against the present petitioners. The petitioner in Cri.Misc.No.745/2026 and Cri.Misc 775/2026 were apprehended at the spot by the complainant and his colleagues. The petitioner in Cri.Misc.No.789/2026, was subsequently apprehended as his name was disclosed by the other petitioners. As per the submissions made by the learned public prosecutor, the investigation is still at a preliminary stage, and custodial interrogation of the present petitioners are necessary. Furthermore, petitioner in Cri.Misc.No.789/2026 accused No.6 is alleged to be a habitual offender. There exists a strong prima facie case against the petitioners. The learned counsels for the petitioners have failed to demonstrate that the case registered against the petitioners is false. No plausible cause has been shown, at this stage, from which it can be deciphered that the petitioners have been falsely implicated into the present FIR.

14. It is befitting to mention here that while considering a plea for grant of bail, the Court has to equilibrate between safeguarding individual rights and protecting societal interests. The Court ought to reckon with the magnitude and nature of the offence; the role attributed

to the accused; the need for fair and free investigation also the deeper and wide impact of such alleged iniquities on the society. At this stage, there is no material on record to hold that prima facie case is not made out against the petitioners. The material which has come on record after preliminary investigation, appear to have established a reasonable basis for the accusations.

15. In view of the gravity of the allegations and as since the petitioners/accused Nos.1 & 2 were apprehended at the spot with vehicles and dangerous weapons and further as accused No.6 was specifically named by accused No.1 and 2, as one of the other persons who was at the spot, this Court is of the considered opinion that the petitioners do not deserve the concession of regular bail in the factual matrix of the case in hand at this stage. Moreover, custodial interrogation of the petitioners is necessary for an effective investigation & to unravel the truth. In view of the aforesaid discussion, this court is of the opinion that the petitioners have failed to make out grounds for grant of bail as prayed for in the respective petitions. Accordingly, this court answers the point raised for consideration in the **Negative** and consequently this Court proceeds to pass the following;

ORDER

Petitions filed by the petitioners/
accused Nos.1, 2 and 6 under Section 483 of
BNSS, 2023 are here by dismissed.

Original Copy of this order is kept in
Crl.Misc.745/26 and copies are kept in
Crl.Misc.775/26 & Crl.Misc.789/26.

(Dictated to the Stenographer, transcribed and typed by her, corrected by
me and then signed and pronounced by me the open Court on this the 8th
day of June 2026).

sd/-

(Sandhya Rao.P)
I Addl. Dist. & Sessions Judge,
Mysuru.