

KAMS010043662026



Crl.Misc./927/2026

**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./927/2026

Petitioner/s:

Sri Siri @ Srikanatha
S/o Swamy,
Aged about 35 years,
Residing at
Kolavige Village,
Hanagodu Hobli,
Hunsur Taluk,
Mysuru District.

[By Sri M.E.Prakash -Adv.,]

V/s

Respondent/s

State of Karnataka,
Through Hunsur Rural
Police Station,
Hunsur Sub Division,
Mysuru District.

[Rep. By Public Prosecutor]

ORDERS ON BAIL PETITION FILED U/SEC.483 OF
BHARATHIYA NAGARIKA SURAKSHA

The petitioner's counsel has filed this petition U/S.483 of Bharatiya Nagarika Suraksha Sanhitha, 2023 seeking an order to release the petitioner on bail in Cr.No.298/2026 for the offences punishable U/Sec.127(2), 74, 75, 115(2), 308(2), 352, 351(2) and 109 R/w.Sec.3(5) of Bharatiya Nyaya Sanhita, 2023.

2. In the petition, learned counsel for petitioner has narrated the facts of the case in brief and further stated that the petitioner is innocent, law abiding citizen and has not committed any offence as alleged in the complaint. The Petitioner is in judicial custody since 11.06.2026. He has been falsely implicated in the case. The Petitioner is residing at Kolavige Village, Hanagodu Hobli, Hunsur Taluk, Mysuru District and the Petitioner is having movable and immovable properties and the offences alleged against the Petitioner are not punishable either life imprisonment or death. There are no materials which

are incriminating against the petitioner. Petitioner is the permanent resident of the address mentioned in the cause title. The petitioner is 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 if, he is released on bail. Hence, prayed for allowing the petition.

3. The learned Public Prosecutor has filed objections to the bail petition. The learned Public Prosecutor has narrated the facts of the prosecution case in brief and further stated that prima-facie, there are reasonable grounds to believe that the petitioner has committed the alleged offences punishable U/Sec.127(2), 74, 75, 115(2), 308(2), 352, 351(2) and 109 R/w.Sec.3(5) of Bharatiya Nyaya Sanhita, 2023, investigation is at preliminary stage. The offences alleged against the petitioner is serious in nature, non bailable offence, and punishable with life imprisonment or imprisonment for 10 years and fine, and triable by the Sessions Court. The petitioner is in judicial custody since

11.06.2026. Yet to record the statement of the witnesses and to collect the material object. The petitioner is influential person, if he is released on bail, there is every chance of his 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 petitioner is entitled for regular 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:-** In the nutshell, the prosecution case is that the complainant gave

statement on 09.06.2026 between 8.15 p.m to 10.00 p.m., stating that he is residing No.12, KEB Colony, Abdul Rehman Main Road, Udayagiri, Mysuru and about 4 months back he met one Meenaz Fathima and they love each other, and that on 26.05.2026 there was quarrel between him and Meenaz Fathima in connection of complainant seeing other girls, then Meenaz Fathima and himself went to meet one Azar at Hunsur, then on 27.05.2026 at about 12.30 p.m., they came to Hunsur on his Suzuki Bike and met said Azar near H.D.Kote Road cafe, then the mother of the complainant called complainant to Mysuru to celebrate festival, as Azar is known to Meenaz fathim he left her with Azar and told to send her by evening to Mysuru, then when he called Meenaz fathim she told she is in resort and complainant quarreled with her for not returning to Mysuru and at 9.30 p.m., Azar called the complainant through video call and informed that he heard some noise from the Meenaz fathima room, then he went and saw, at that time Meenaz fathima left hand was cut and blood was

oozing, then his friends Suheb and Vasim took her to Hunsur Hospital. Then on 28.05.2026 at about 6.00 a.m., Meenaz called him over phone and informed that Vasim and Suheb took her to Hospital and provided treatment and then left her to Jungle resort and asked him to take her with him as they are not behaving properly with her, the complainant after celebrating the festival reached Jungle Resort on his bike at about 5.30 p.m., and met Meenaz Fathim and then Vasim brought meals, then Suheb also came there and they had food, as it was too late they stayed there itself. Then on 29.05.2026 at 3.00 a.m., Suheb and Wasim took his bike and left the room to bring cigarette, then at 6.00 a.m., they handed over only key of bike saying that they left the bike at Hunsur as there was no patrol, then complainant told Suheb and Wasim that they will vacate the room and take bike from Hunsur for which Wasim and Suheb asked complainant to be there only they will bring the bike and took the key and went away, did not return for long time, when complainant

called over phone vasim told to leave his girl friend or to pay Rs.50,000/- then only he will bring his bike to Mysuru, then complainant got scared and then he checked out room and coming out of the resort, at that time Resort persons asked to pay money for which he told he did not book the Room and ask money to person who booked the room, then he left resort with Meenaz fathima by walk on road, then took drop on a bike till Gurupura and then boarded bus and reached Hunsur, while returning in Bus when called Vasim to give bike did not receive his phone call and called through whatsapp call and abused Meenaz fathim in filthy language and then complainant called one known person by name Jawad and enquired whether he knew Vasim, then Jawad took number of Vasim and checked it and told that he knew Vasim and he will get complainant's bike and Jawad told to wait at Hunsur and he will meet Wasim and get his bike and they were waiting near Hot Cup cafe. Then on 30.05.2026 at about 3.30 a.m., Wasim came with Jawad, at that time Tousif came on bike

there, Wasim gave the said bike brought by Tousif and asked to come near Central Family Restaurant at Madikeri road, and they went in car, then they also went there, when complainant's bike was not there, at about 4.00 a.m., Meenaz questioned Wasim why not giving bike to Aslam, for which Wasim fisted Meenaz fathim on her chest, when complainant questioned the same Wasim scolded in filthy language and fisted on left eye of the Aslam due to which his spectacles was broken and he sustained hurt to his left eye, then complainant, Meenaz Fathima and Jawad went to Mysuru, then called Wasim and asked to return the bike, for which Wasim asked to bring that girl then he will return the bike. Then the complainant approached over phone to his far relative Jafar and requested to get his bike from Wasim and said Jafar asked about bike to Wasim for which Wasim told the bike is at Jungle Resort. Therefore, on 09.06.2026, himself, his mother Kousar, his brother Taheeb and his relative Jawar went to Jungle Resort in a Car bearing Reg.No.KA-09-

ML-0901, at that time one person was proceeding on his bike towards Hunsur, therefore he questioned the said person, that person told Jungle Resort persons gave that bike to him and the complainant informed that bike belongs to him and asked that person to come to Police Station in car, but the said person left the bike did not go to Police Station, then he gave his bike to his brother and Jafar, and himself and his mother Kousar were proceeding behind them by car toward Hunsur, he noticed Wasim was coming in Innova car and on seeing him he came near complainant, at that time his mother Kousar called Jafar and informed to go to Police Station, at about 6.00 p.m., when his brother was filling the petrol to bike at Tiger Resort Wasim came in Innova Crista car bearing Reg.No.KA-45-M-3897 and attempted to dash his brother's bike, when his brother tried to escape by leaving the bike, the 4 persons in the car started assaulting, Wasim assaulted his brother, Asar assaulted Jafar, other person questioned without paying how can you take bike?, and abused in filthy

language and took the bike inside Resort, and Suheb got down from the car and threatening them, at that time Wasim took big stone and tried to take his brothers life, at that time out of fear the complainant raised the accelerator and accidentally Wasim sustained pain and his car was dashed to heap of mud and car was damaged and his mother who was in car also sustained injuries and later he came to know the name of person who was taking his bike as Siri @ Srikanth and hence he lodged complaint.

8. Based on the said complaint, a case came to be registered in Cr.No.298/2026 for the offences punishable U/Sec.127(2), 74, 75, 115(2), 308(2), 352, 351(2) and 109 R/w.Sec.3(5) of Bharatiya Nyaya Sanhita, 2023. Section 74, 75, 308(2), and 109 R/w.Sec. 3(5) of BNS is non-bailable in nature and triable by Court of session and the said offence is punishable with 10 years imprisonment and also fine.

9. After registered the case in Cr.No.298/2026, 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 and order sheet. Per contra, P.P. has produced the I.O. report along with objections.

11. On perusal of the records, it is evident that the only allegations levelled against the Accused No.4 i.e. Petitioner was that he was proceeding on the bike involved in the alleged incident. Whether the Petitioner has committed or involved in the incident is only ascertained at the full fledged trial, at this stage it is difficult to come to the conclusion that the Petitioner / Accused No.4 was involved in the commission of alleged incident. Further, learned counsel for petitioner has made out specific grounds to release the petitioner on bail. Hence, the bail petition deserved to be allowed. Accordingly, point No.1 answered in the **Affirmative.**

12. **Point No.2:-** In view of my findings on point No.1, I proceed to pass the following:

::O R D E R::

The petition filed on behalf of petitioner/accused No.4 U/S.483 of BNSS, 2023 is hereby **Allowed**.

The petitioner/accused No.4 is ordered to be released on regular bail in Cr.No.298/2026 for the offences punishable U/Sec.127(2), 74, 75, 115(2), 308(2), 352, 351(2) and 109 R/w.Sec.3(5) of Bharatiya Nyaya Sanhita, 2023 on executing personal bond for Rs.1,00,000/- with one surety for the like-sum subject to the following conditions:

1. The petitioner shall co-operate with the I.O. during the investigation.
2. He shall not tamper the prosecution witnesses.
3. He shall not commit any kind of offences.
4. He shall appear before the concerned Court on all hearing dates.

5. He shall produce his ID and address proof documents while furnishing the surety.

If any of these conditions are violated by the petitioner, 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.