

KAMS320002032026



**IN THE COURT OF THE VIII ADDL. DISTRICT & SESSIONS JUDGE,  
MYSURU, SITTING AT HUNSUR**

**Dated this the 17<sup>th</sup> day of March 2026**

**-: P R E S E N T :-**

**Sri.T.GOVINDAIAH**

B.Com., LL.B.,  
VIII ADDL. DISTRICT & SESSIONS JUDGE,  
MYSURU, SITTING AT HUNSUR

**Crl.Mis.No.5066/2026**

**PETITIONERS :**

- 1. Mahadeva**  
S/o Late Ankegowda  
Aged about 50 years
- 2. Geetha**  
W/o Mahadeva  
Aged about 45 years
- 3. Nithin**  
S/o Mahadeva  
Aged about 32 years

All are R/at Hunasegala Village,  
Hanagodu Hobli,  
Hunsur Taluk.

**(By Sri.Kumaranayaka H.S., Advocate)**

- Vs -

**RESPONDENT:** **State of Karnataka by  
Hunsur Rural** Police Station,  
Hunsur Taluk,  
Mysuru Dist.

(Rep. By **Public Prosecutor**)

**ORDER ON BAIL APPLICATION FILED U/S.482 OF B.N.S.S.**

The petitioners have filed the present petition U/S 482 of B.N.S.S. for seeking anticipatory bail in Cr.No.54/2026 of Hunsur Rural Police station for the offences punishable u/sec.352, 126(2), 115(2), 118(1), 351(2) r/w sec.3(5) of BNS 2023.

**2. The case of the prosecution in brief is as under;**

The complainant has lodged the complaint against the accused for the offences punishable u/sec.352, 126(2), 115(2), 118(1), 351(2) r/w sec.3(5) of BNS 2023.

Complainant and accused are having dispute regarding partition of their family properties. This being the fact, that on 24.01.2026 at about 8.00 p.m., accused having common intention illegally started quarrel with complainant. In that quarrel, the

accused abused in filthy language illegally restrained and assaulted with hand on his back. Petitioner no.1 assaulted with reaper on the head and chest of complainant. The petitioners also slapped the Geetha and abused in filthy language. On the basis of the said complaint, crime came to be registered against the accused in Cr.No.54/2026 for the offences punishable u/sec.352, 126(2), 115(2), 118(1), 351(2) r/w sec.3(5) of BNS 2023.

**3.** Investigation Officer started investigation, at that time accused filed this petition U/S 482 of B.N.S.2023 praying for grant of anticipatory bail. In the bail application the petitioners contended that, they have no bad antecedents. These petitioners have not committed any offences as alleged by the complainant. These petitioners have been falsely implicated by the Respondent/police just to harass them. They hail from respectable family and is having deep roots in the society. They are the only bread earning members in the family. They have to maintain their old aged parents who are suffering from old age ailments. They are in no way connected to the alleged incident. These petitioners/accused were arrested by the Respondent/police.

Hence, now these petitioners have approached this court for grant of anticipatory bail. These petitioners are ready to co-operate to the Investigation and they are ready to furnish surety and also they are ready to abide by all conditions which may be imposed by this court. Hence, pray for allowing the application.

4. On the other hand, the Learned Public Prosecutor has filed his objection to the present application, wherein Learned Public Prosecutor contended that, the petitioners/accused no.1 to 3 are not entitled for bail. These petitioners have committed the non-bailable offence punishable U/s 118(1) of BNS punishable with imprisonment for life or for upto 3 years and fine. The alleged offence is triable by Sessions Court. It is necessary to seize deadly weapons has to be sent to FSL to obtain the report. The wound certificate of injured has to be obtained. The sketch map of spot of incident has to be collected from PWD department. The statements of witnesses have to be recorded. Still some more evidence has to be collected and relevant documents have to be obtained. If the bail is granted to the petitioners, they may tamper with the prosecution witnesses and that apart they may abscond

from the jurisdiction. Therefore, the process of Investigation will be hampered. Further investigation is going on. If the bail is granted to the petitioners, they may not co-operate with the Investigation Officer and they may threat to the complainant. Hence, prays for rejecting the bail application.

5. Heard arguments of both the sides.

**6. The following points that would arise for my consideration are :**

1. Whether the petitioners/accused no's.1 to 3 have made out grounds to allow the present bail application and they are entitled for anticipatory bail ?
2. What Order?

7. **My findings on the above points are as under:**

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

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

**REASONS**

8. **Point No.1:-** On perusal of the prosecution case papers, it is clear that, investigation is going on. Now these petitioners have

approached this court for grant of anticipatory bail. It appears that, petitioners do not require for further investigation. Though the offences are non-bailable in nature, they are not punishable exclusively with death or life imprisonment. There is no necessity to recover any property from these petitioners/accused.

9. The alleged offences against the accused have to be proved at the time of trial. Further, there is no grievous injuries sustained by the complainant. Under such circumstances, in order to safeguard the personal liberty of the petitioners/accused, it is just and proper to release them on anticipatory bail. These petitioners/accused are ready to abide by all the conditions which may be imposed by this court and they are also ready and willing to furnish surety to the satisfaction of the court. In order to safeguard the interest of prosecution, it is necessary to impose stringent conditions. Under such circumstances, this court is of the view that, it is necessary to grant anticipatory bail by imposing necessary conditions. **Accordingly, this court answered Point No.1 'in the Affirmative'.**

**10. Point No.2**:- In view of the above findings on the above point, bail petition filed U/S 482 of B.N.S.S. deserves to be allowed. Hence, I proceed to pass the following:

**:: ORDER ::**

Bail petition filed by petitioners/Accused no's.1 to 3 under Sec.482 of B.N.S.S. is allowed.

Respondent police are hereby directed to enlarge the petitioners/accused no's.1 to 3 on bail in the event of their arrest in Cr.No.54/2026 of Hunsur Rural Police station, pending on the file of concerned jurisdictional Magistrate for the offences punishable u/sec.352, 126(2), 115(2), 118(1), 351(2) r/w sec.3(5) of BNS 2023, on their executing personal bond for a sum of Rs.50,000/- each with one surety for the likesum on following conditions:

1. Petitioners/accused no's.1 to 3 shall co-operate with Investigation Officer for further process of investigation.

2. Petitioners/accused no's.1 to 3 shall not tamper with prosecution witnesses in any manner.
3. Petitioner/accused no's.1 and 3 shall mark their attendance before SHO, Hunsur Rural P.S., on every Sunday between 9.00 a.m. and 5.00 p.m. for 2 months or till filing of final report, whichever is earlier.
4. Petitioners/accused no's.1 to 3 shall appear before the learned Magistrate and file necessary application for grant of Regular bail within one month from the date of this order.

**(Dictated to the stenographer directly on the computer, revised and corrected by me and then pronounced in the open court on this the 17<sup>th</sup> day of March 2026)**

**(T.GOVINDAIAH)**  
VIII ADDL. DISTRICT & SESSIONS JUDGE,  
MYSURU, SITTING AT HUNSUR