

KAMS320002222026



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

Dated this the 27th 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.5073/2026

PETITIONERS :

- 1. A.K.Chaluvaraju**
S/o Kantharaju
Aged about 38 years
- 2. Kamamma M.M.**
W/o A.K.Chaluvaraju
Aged about 31 years

Petitioner no.1 and 2 are
R/at Dammanahalli Village,
Chunchanakatte Hobli,
Hadya Post, K.R.Nagar Taluk,
Mysuru District.

- 3. T.A.Umesha**
S/o Annaiah
Aged about 39 years

4. Sunanda
W/o T.A.Umesha
Aged about 31 years

Petitioner No.3 and 4 are
R/at Torenur Village,
Kushalnagar Hobli,
Somawarpete Taluk,
Kodagu District.

(By Sri.Rajashekaramurthy., Advocate)

- Vs -

RESPONDENT: State of Karnataka by
Saligrama Police Station,
K.R.Nagar 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.96/2026 of Saligrama Police station for the offences punishable u/sec.352, 118(2), 117(2), 351(2), 351(3) 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 nos.1 to 4 for the offences punishable u/sec.352, 118(2), 117(2), 351(2), 351(3) r/w sec.3(5) of BNS 2023.

There is a land dispute between complainant and petitioners. This being the fact that on 07.03.2026 at about 11.50 a.m., the son of complainant by name Chalugaraju came to the house of complainant and started quarrel with common intention. In that quarrel, petitioners have abused in filthy language. Further petitioner no.1 assaulted the complainant with club on his hand and other parts of the body. Further, petitioner no.1 also bite the ear of husband of complainant. Other petitioners have gave provoke to petitioner no.1 to kill them. Petitioners have also gave life thereat to them. On the basis of the said complaint, crime came to be registered against the accused in Cr.No.96/2026 for the offences punishable u/sec.352, 118(2), 117(2), 351(2), 351(3) 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 member 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 was 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 nos.1 to 4 are not entitled for bail. These petitioners have committed the non-bailable offence punishable U/s 118(2) of BNS punishable with imprisonment for life or imprisonment for a term that is not less than one year but can extend to ten years. 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 nos.1 to 4 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 has to be proves 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 nos.1 to 4, it is just and proper to release them on anticipatory bail. These petitioners/accused nos.1 to 4 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 nos.1 to 4 under Sec.482 of B.N.S.S. is allowed.

Respondent police are hereby directed to enlarge the petitioners/accused nos.1 to 4 on bail in the event of their arrest in Cr.No.96/2026 of Saligrama Police station, pending on the file of concerned jurisdictional Magistrate for the offences punishable u/sec.352, 118(2), 117(2), 351(2), 351(3) r/w sec.3(5) of BNS 2023., on their executing personal bond

for a sum of Rs.50,000/- with one surety for the likesum on following conditions:

1. Petitioners/accused nos.1 to 4 shall co-operate with Investigation Officer for further process of investigation.
2. Petitioners/accused nos.1 to 4 shall not tamper with prosecution witnesses in any manner.
3. Petitioners/accused nos.1 and 3 shall mark their attendance before SHO, Saligrama 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 nos.1 to 4 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 27th day of March 2026)

(T.GOVINDAIAH)

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