

KAMS320004102026



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

Dated this the 5th day of June 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.5159/2026

PETITIONER :

Ramesh K.T.
S/o Late Thimmegowda
Aged about 59 years
R/at Tippuru Village,
Bilikere Hobli,
Hunsur Taluk,
Mysuru District.

(By Sri.S.Lakkegowda, Advocate)

- Vs -

RESPONDENT:

State of Karnataka by
Excise Inspector,
Hunsur Sub-Division,
Hunsur.

(Rep. By Public Prosecutor)

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

The petitioner has filed the present petition U/S 482 of B.N.S.S. for seeking anticipatory bail in Cr.No.28/2025-26 of Excise Inspector of Police, Hunsur Sub-Division, Hunsur Range, for the offences punishable under Secs.14, 15, 32(1), 38(A) of Karnataka Excise Act, 1965.

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

That on 14.05.2026, when the complainant/Excise Inspector along with his Subordinate officials was engaged in patrolling his duty, on credible information they came to know that in Mysuru District, Hunsur Taluk, Bilikere Hobli, Hosapura Village, accused having illegal stock of liquor in his Charveeka Provision Store and used to sell. The excise officials along with panchas they reached the spot belongs to the accused. When they searched, they found 0.90 ml of 31 Original Choice Delux Whiskey tetra packs, totally 2.790 lts liquor packets without having valid licence. Thereafter, they obtained the sample bottles for chemical analysis and came to know that, accused stored the above said liquors without having

valid licence and committed the offences punishable under Secs.14, 15, 32(1), 38(A) of Karnataka Excise Act, 1965.

3. The Excise Officer started investigation, during which, the present petitioner/Accused has filed the present application for seeking anticipatory bail contending that, he is law abiding citizen and he is innocent. This petitioner has not committed any offences as alleged by the complainant. He has been falsely implicated by the Excise officials just to harass him. He hails from respectable family and is having deep roots in the society. He has no bad criminal antecedents. No prima-facie case is made out as against this petitioner. No materials on record to show that the petitioner has committed the alleged offences. He is permanent resident of address as shown in the cause title of the petition. He is Agriculturist and is the only earning member in the family. He is ready to co-operate to the Investigation and he is ready to furnish surety and he is also ready to abide by all conditions which may be imposed by this court. Hence, he prays 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 petitioner is not entitled for bail. The offences alleged against petitioner/ accused are non-bailable and are punishable which may extend to imprisonment for 5 years and also with fine of Rs.50,000/-. The samples of seized liquor has to be sent to F.S.L. for chemical analysis to obtain the report. The statements of witnesses have to be recorded. The offence committed by the accused is causing loss to the exchequer of the State. The documents relating to spot of incident has to be obtained. If the bail is granted to the petitioner, he may tamper with the prosecution witnesses and that apart he 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 petitioner, he may not co-operate with the Investigation Officer. The Excise Police need the accused for investigation. Hence, he 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 petitioner/accused has made out grounds to allow the present bail application and he is 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 papers, it is clear that, the complainant has lodged the complaint against the accused alleging that, the petitioner has committed the offences punishable under Secs.14, 15, 32(1), 38(A) of Karnataka Excise Act, 1965. The investigation is going on. It is not necessary to recover any liquor from the petitioner. Further, the alleged offences are not punishable with imprisonment for life or death sentence. Alleged offences are triable by Magistrate Court. In order to safeguard the

personal liberty of the petitioner, it is just and proper to release him on anticipatory bail. This petitioner/accused is ready to abide by all the conditions which may be imposed by this court and he is 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'.**

9. **Point No.2:-** In view of my findings on the above point, this court proceed to pass the following:

:: ORDER ::

Bail petition filed by
petitioner/accused under Sec.482 of
B.N.S.S., is allowed.

Respondent/Excise Inspector of
police is hereby directed to enlarge
petitioner / accused on bail in the event

of his arrest in Cr.No.28/2025-26 of Hunsur Sub-Division, Hunsur Range, pending on the file of concerned jurisdictional Magistrate for the offences punishable under Secs.14, 15, 32(1), 38(A) of Karnataka Excise Act, 1965, on his executing personal bond for a sum of Rs.50,000/- with one surety for the likesum on following conditions:

1. Petitioner/accused shall co-operate with Investigation Officer for further process of investigation.
2. Petitioner/accused shall not tamper with prosecution witnesses in any manner.
3. Petitioner/accused shall appear before the learned Magistrate and file necessary application for grant of Regular bail within one month from the date of this order.
4. Petitioner/accused shall mark his attendance before the Excise Inspector, Hunsur Sub-Division,

Hunsur Range, Mysuru Dist., on every Monday between 10.00 a.m. to 6.00 p.m., for a period of 3 months or till filing of Charge-sheet, whichever is earlier.

5. Petitioner/accused shall not indulge with offences of like nature.

(Dictated to the stenographer directly on the computer, revised and corrected by me and then pronounced in the open court on this the 5th day of June 2026)

(T.GOVINDAIAH)

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