

KAMS320004172026



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

Dated this the 9th 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.5163/2026

PETITIONER :

Beerappa

S/o Late Shivanna
Aged about 42 years
R/at Athikuppe Village,
Hanagodu Hobli,
Hunsur Taluk,
Mysuru District.

(By Sri.Harshakumara, 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 petitioner/accused has filed the present petition U/S 482 of B.N.S.S for seeking anticipatory bail in Cr.No.432/2024 of Hunsur Rural P.S. for the offences punishable u/sec.352, 118(1), 115(2) of BNS 2023 pending on the file of Prl.Civil Judge and JMFC, Hunsur in CC.No.1712/2025.

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

The complainant has lodged the complaint against the petitioner/accused for the offences punishable u/sec.352, 118(1), 115(2) of BNS 2023.

That on 13.12.2024 at about 4.45 p.m., when complainant gracing cow in their land, petitioner came on the road intentionally abused in filthy language. Thereafter, the complainant informed the said matter to her son. When complainant and her son enquired about the incident, to which, petitioner assaulted with blade on her chest and back and caused injury. Further, the petitioner also assaulted to the son of complainant with hand on his chest. The neighbours came there and pacify the quarrel.

Accordingly, accused has committed the aforesaid offences punishable u/sec.352, 118(1), 115(2) of BNS 2023. Thereafter, the complainant has lodged the complaint before the Hunsur Rural Police station. On the basis of the said complaint, crime came to be registered against the accused in Cr.No.432/2024 for the offences punishable u/sec.352, 118(1), 115(2) of BNS 2023.

3. The Investigation Officer completed the investigation and filed the charge-sheet. The petitioner/Accused has filed the present application for seeking anticipatory bail contending that, he is law abiding citizen and innocent. This petitioner has no bad antecedents. This petitioner has not committed any offences as alleged by the complainant. This petitioner hails from respectable family and he is having deep roots in the society. The complainant has foisted a false case against this petitioner just to harass him. He has been falsely implicated by the respondent/police in this crime. Petitioner has lodged a complaint against complainant, which matter is pending in CC 1712/2025 on the file of Prl.Civil Judge and JMFC, Hunsur. Since already charge-sheet has been filed against this petitioner, interrogations of this petitioner by the Investigation

Officer is not required. He has to maintain his old aged parents and small children. He is the only earning member in the family. He is having movable and immovable properties. If he is not released on bail, his family will be put to great hardship. This petitioner is ready to furnish surety and also he is 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 petitioner/accused is not entitled for bail. He had committed the non-bailable offences. The alleged offence u/sec.118(1) of B.N.S.2023 is punishable by up to 3 years of imprisonment, a fine of up to Rs. 20,000, or both. Since the date of registration of crime, this petitioner/accused is absconding. If the bail is granted to the petitioner, he may tamper with the prosecution witnesses and that apart he may abscond from the jurisdiction. Charge-sheet has been filed. 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 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 accused has committed the offences punishable u/sec.352, 118(1), 115(2) of BNS 2023 pending on the file of Prl.Civil Judge and JMFC, Hunsur in CC.No.1712/2025.

9. It is pertinent to note that, there is no necessity to recover any property from this petitioner. Further, the alleged offences are not punishable with imprisonment for life or death sentence. More-over, Investigation is completed and charge-sheet has been filed, in which case, custodial interrogations of this petitioner/accused by Investigation Officer is not required. The allegations of charge-sheet are to be proved by prosecution during trial.

10. Under such circumstances, in order to safeguard the personal liberty of the petitioner/accused, 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'.**

11. Point No.2:- In view of my 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 petitioner/Accused under Sec.482 of BNSS, is allowed.

Petitioner/Accused is ordered to be enlarged on bail in the event of his arrest by Respondent-Police in Cr.No.432/2024 i.e., in CC No.1712/2025 pending on the file of Concerned Jurisdictional Magistrate for the offences punishable u/sec.352, 118(1), 115(2) of BNS 2023 on executing his personal bond for a sum of Rs.50,000/- with one surety for the likesum, on following conditions:

1. Petitioner/accused shall appear before the Trial court regularly.
2. 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.

3. Petitioner/accused shall not tamper with the prosecution witnesses and shall not commit similar offences in future.

(Dictated to the stenographer directly on the computer, revised and corrected by me and then pronounced in the open court on this the 9th day of June 2026)

(T.GOVINDAIAH)

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