

KARC060002162026



IN THE COURT OF III-ADDL. DIST. & SESSIONS JUDGE, RAICHUR, SITTING AT
SINDHANUR.

Crl. Misc. No.5095/2026

PRESENT: Sri. B.B.Jakati
B.A., LL.M.,

III-Addl. Dist. & Sessions Judge, Raichur,
Sitting at Sindhanur.

Dated this the 16th day of April, 2026

PETITIONERS:-

1. Smt.Thayamma, W/o.N.Naxmikanth Nayak, 30
years, Household & Agriculture,
2. Smt.Girishamma, W/o.K.K.Hanumesh, 28
years, Household & Agriculture,
3. N.Laxmikanth Nayaik, S/o.N.Shivayya Nayak,
31 years, Agriculture,
4. Hanumesh, S/o.Krishnappa, 36 years,
Agriculture,

All are R/o.Dinni village, Raichur Dist.

(Accused No.2 to 5 as per FIR)
(By Shri M.B.W., Adv.,)

// Versus //

RESPONDENT:-

The State through SHO, Sindhanur Town police station, Dist: Raichur,

(Through learned Public Prosecutor)

ORDER

This petition is filed under **Section 482 of BNSS**, for anticipatory bail in Cr.No.36/2026 of Sindhanur Town Police Station which is registered for the offences punishable under Sections 318(4), 319(2), 336(2), 336(3), 338, 340(2) R/w Sec.3(5) of BNS.

2. The FIR was registered on the basis of the first information of Chalapathi Srinivas Choudari. He has alleged that he is the owner of the land bearing Sy.No.97/E measuring 30 acres 20 guntas situated at Dinni village. He had purchased such land from accused No.1/Dodda Narasimha in the year 2001-2002. His name was entered in the RORs. On 29.12.2025 he has received SMS from the Office of Tahsildar, Raichur in respect of change of RTC of the above said land. Then he went to the office and inquired. In the inquiry, he came to know that on 13.12.2025 the registered sale deed was executed in the name of accused No.2/Tayamma and accused No.3/Girishamma. For the said sale deed, accused No.4/Laxmikantha Nayak and accused No.5/Hanumesh have signed as witnesses. He has also noticed that his Aadhaar card has been forged by

accused No.1 to 5 by affixing the photograph of accused No.1. By using such Aadhaar card, accused No.1 has executed the sale deed in the name of accused No.2 and 3. Therefore, he went to the police station and reported the matter on 29.1.2026.

3. The prosecution has filed objection to the petition contending that the accused have forged Aadhaar card and created the sale deed in order to engulf the land of the complainant. There is serious allegations against the petitioners. The custodial interrogation of the petitioners is required. If the petitioners are released on bail, they may not co-operate with the investigation.

4. The learned counsel for the petitioners has argued that the accused are innocents of the offences. Accused No.1 was cultivating the land and it was seen by accused No.2 and 3. They believed that accused No.1 is the owner of the land. Therefore, from accused No.1, accused No.2 and 3 have purchased the land. Accused No.2 and 3 are the bonafide purchasers. Accused No.4 and 5 are nothing to do with the forgery of Aadhaar card and the registration of the sale deed. Therefore, if the petitioners are arrested, they would be humiliated. The petitioners are ready to co-operate with the investigation.

5. The learned Public Prosecutor has opposed the submission of the learned counsel for the petitioners and prayed to reject the petition.

6. I have carefully perused the records.

7. The only point that arises for my consideration is:

“Whether the petitioners are entitled for anticipatory bail?”

8. My finding to the above said point is in the negative, for the following:

:: REASONS ::

9. The allegations in the complaint and the material on record prima-facie shows that the complainant/Chalapathi Srinivas Choudari is the owner and in possession of the land bearing Sy.No.97/E measuring 3 acres 20 guntas of Dinni village. His name was appearing in the revenue records. Accused No.1 is the vendor of the complainant. He had knowledge that the complainant is the owner of the land.

10. The records further shows that by using Aadhaar card number of the complainant, accused No.1 created Aadhaar card by affixing his photograph to pretend that he is the owner of the land even though, the complainant is the owner of the land. The forgery of Aadhaar card of the complainant is manifest on record. Such forgery is committed in order to create sale deed dt.13.12.2025. The land involved is 3 acres 20 guntas. The purchasers and accused No.1 are the residents of same village.

Therefore, the purchasers had knowledge that the complainant is the owner of the land and not accused No.1. In spite of such knowledge, the purchasers got executed sale deed dt.13.12.2025 from accused No.1. Accused No.4 and 5 are also the residents of Dinni village where the land is situated. They were also having knowledge that the complainant is the owner of the land. In spite of such knowledge, accused No.2 to 5 have participated in the sale transaction and execution of the registered sale deed. These alleged acts of each of the petitioners who are accused No.2 to 5 shows that they have created Aadhaar card and created sale deed dt.13.12.2025. Accused No.2 to 5 have identified accused No.1 as the owner of the land even though he was not the owner. Therefore, there is strong prima-facie case against each of the petitioners for the offences shown in the FIR.

11. It is significant to note that the petitioners have created and forged Aadhaar card and sale deed in order to get the land measuring 3 acres 20 guntas from the complainant. This act of the petitioners is very serious. Therefore, even though the offences are not exclusively punishable with death or imprisonment for life, if the petitioners are released on bail, they may repeat the offence and it will give wrong signal to the society at large. Apart from that, the custodial interrogation of the petitioners is essential to identify who has forged Aadhaar card and the sale deed. The hand-writings of each of the petitioners may be required for the purpose of investigation to

compare such hand-writings with disputed documents. Therefore, the custodial interrogation of the petitioner is required. Further more, if the petitioners are released on bail, they may threaten the prosecution witnesses and they may not appear before the Investigation Officer for investigation. Thus, it is not a fit case to grant anticipatory bail to the petitioners. Accordingly, I answer this point and proceed to pass the following;

ORDER

The petition filed by the petitioners under Section 482 of BNSS, is hereby rejected.

(Dictated to the Steno Grade-I, typed by her, corrected, signed and then pronounced by me in the open court, on this the 16th day of April, 2026)

(B. B. Jakati)

**III Addl. District & Sessions Judge, Raichur,
Sitting at Sindhanur.**