

KARC060004852026



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

Crl. Misc. No.5218/2026

PRESENT: Sri. B.B.Jakati

B.A., LL.M.,

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

Dated this the 10th day of June, 2026

PETITIONERS/ACCUSED:-

1. Channappa, S/o.Sharanabasappa, 38 years,
Agriculture,
2. Sharanabasappa, S/o.Channappa, 65 years,
Agriculture,
3. Basavaraj, S/o.Channappa, 60 years, Agriculture,
4. Anjappa, S/o.Timmanna, 30 years, Agriculture,
5. Nagalingappa, S/o.Pakirappa, 30 years,
Agriculture,

All are R/o.Turvihal, Sindhanur Taluk, Raichur Dist.

(Accused No.1 to 5 as per FIR)
(By Shri K.B.G., Adv.,)

// Versus //

RESPONDENT:-

The State through SHO, Turvihal Police Station,
Dist. Raichur.

(Through learned Public Prosecutor)

ORDER

This petition is filed under Section **482 of BNSS** for anticipatory bail in Cr.No.**182/2025** of **Turvihal** Police Station which is registered for the offences punishable u/Ss.189(2), 191(2), 191(3), 352, 109, 74, 351(2), 115(2), 118(1), 351(3), 190 of BNS.

2. The case of the prosecution, as could be seen from the records, is that the complainant, Sharanayya, and his brothers were cultivating the land bearing Sy. No.453 situated at Turvihal Village. It is alleged that there existed a long-standing land dispute between the complainant's family and the accused persons. On 09.11.2025, the complainant and his family members were present in the said land. At about 1.00 p.m., all the accused allegedly formed an unlawful assembly and, in prosecution of their common object, assaulted Sharanayya, Gurumurthy, Channayya, Rudrayya and Lalitamma with deadly weapons, causing injuries to them. It is further alleged that accused No.1 assaulted Gurumurthy and Sharanayya with the intention of causing their death. The injured persons were

shifted to the hospital for treatment. After their discharge from the hospital, the complainant approached the jurisdictional police station and lodged the first information report on 13.11.2025.

3. The prosecution filed objection to the bail petition and prayed to reject the petition.

4. The learned counsel for the petitioners has argued that there are two civil suits pending between the complainant family and the family of the accused in respect of the land bearing Sy.No.453. Prior to the registration of the present crime, the case in Cr.No.180/2025 was registered against Channayya, Sharanayya and Lalitamma who are the victims in the present case for the offences u/Ss.189(2), 191(2), 191(3), 115(2), 118(1), 324(4), 352, 351(2), 351(3) and 190 of BNS and u/Ss.3(1)((r), 3(2)(s), 3(1)(w), 3(2)(va) of the SC/ST (POA) Act. The said incident taken place on 9.11.2025. After registration of the case in Cr.No.180/2025, the present FIR was registered after thought. Another case in Cr.No.129/2025 was registered against Channayya and Gurumurthy and a charge sheet is filed against them for the offences u/Ss.352, 74, 351(2), 3(5) of BNS, which is pending. The victims have sustained simple injuries. They have been discharged from the hospital. There is no prima facie case for the offence u/S.109 of BNS. The custodial interrogation of the petitioners is not required. If they are arrested, they would be humiliated.

5. The learned Public Prosecutor has opposed the submissions of the

learned counsel for the petitioners and prayed to reject the petition.

6. The only point that arises for my consideration is;

Whether the petitioners are entitled for anticipatory bail ?

7. My finding is in the affirmative for the following:

REASONS

8. The records placed before the Court disclose that, prior to the registration of the present case, a case in Crime No.180/2025 had already been registered against Channayya, Sharanayya and Lalitamma, who are the victims in the present case, for the offences punishable under Sections 189(2), 191(2), 191(3), 115(2), 118(1), 324(4), 352, 351(2), 351(3) and 190 of the Bharatiya Nyaya Sanhita, 2023, and Sections 3(1)(r), 3(1)(s), 3(1)(w) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. The incident relating to the said crime had also allegedly taken place on 09.11.2025. Therefore, it prima facie appears that the present case came to be registered subsequent to the registration of Crime No.180/2025.

9. The records further reveal that Crime No.129/2025 had also been registered against Channayya and Gurumurthy, who are the victims in the present case, for the offences punishable under Sections 352, 74, 351(2) and 3(5) of the BNS, and a charge sheet has already been filed therein, which is stated to be pending adjudication. It is also brought on record that O.S.

No.331/2025 and O.S. No.259/2023 are pending before the competent Civil Courts in respect of the dispute relating to land bearing Sy. No.453 of Turvihhal Village. Thus, the material on record indicates the existence of civil litigation as well as case and counter-case between the parties.

10. The petitioners have produced the wound certificates pertaining to the injured persons. A perusal of the said certificates discloses that the victims have sustained only simple injuries and none of them has suffered any grievous injury. In the circumstances, it appears that the allegations made in the first information report have been exaggerated so as to attract the offence punishable under Section 109 of the BNS. At this stage, there does not appear to be a prima facie case attracting the ingredients of Section 109 of the Bharatiya Nyaya Sanhita.

11. The other non-bailable offences alleged against the petitioners are those punishable under Sections 118(1) and 74 of the BNS. The said offences are not punishable with death or imprisonment for life. The petitioners are permanent residents within the jurisdiction of this Court and, therefore, their presence can be secured for the purposes of investigation and trial. If the petitioners are arrested, they would be subjected to unnecessary humiliation. Having regard to the facts and circumstances of the case, and with a view to safeguarding their personal liberty, I am of the opinion that the petitioners are entitled to the relief of anticipatory bail. Accordingly, I answer this point in the

affirmative and proceed to pass the following:

ORDER

The petition filed **u/S.482 of BNSS**, is hereby allowed.

The Turvihal Police is hereby directed to release the petitioners on anticipatory bail in the event of their arrest in Cr.No.**182/2025**, on executing personal bond for a sum of Rs.50,000/- each with one surety for the like-sum, subject to the following conditions;

1. They shall surrender before the concerned court within 15 days from the date of this order and execute personal & surety bonds.
2. They shall furnish ID proof of themselves and surety.
3. They shall co-operate with investigation.
4. They shall not tamper or threaten the prosecution witnesses.

(Dictated to the Steno Grade-I, transcribed by her, corrected, signed and then pronounced by me in the open court, on this the 10th day of June, 2026.)

(B. B. Jakati)

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