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

Crl. Misc. Nos.5230 & 5231/2026

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

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

Dated this the 17th day of June, 2026

PETITIONERS in Crl.Misc.No.5230/2026:-

1. Kariyappa, S/o.Hanumantha, 29 years,
Agriculture,
2. Ramanna, S/o.Kuppayya, 59 years,
Agriculture,
3. Buddappa, S/o.Hanumantha @ Hanumappa,
51 years, Agriculture,
4. Gaddemma, W/o.Ramanna, 66 years,
Household & Agriculture,
5. Amaramma @ Amramma, W/o.Kantheppa
@ Kantappa, 62 years, Household & Agriculture,
6. Kariyamma, W/o.Hanumantha @ Hanumappa, 76 years,
Household & Agriculture,

Petitioner No.1 to 6 are R/o.Chikkayardiha
village, (Khurd), Lingasugur Taluk, Raichur Dist.

7. Nagaratna, W/o.Sangamesh, D/o.Late Ningappa,
36 years, Government Employee,
R/o.2-12-148, Sarwa Mangala Nilaya, ZPE Office
Road, Lingasugur, Lingasugur taluk, Dist.Raichur.
Now R/o.Raichur.

(Accused No.2, 3 and 5 to 9 as per FIR)
(By Shri F.F., Adv.,)

PETITIONERS in Crl.Misc.No.5231/2026:-

1. Gyanappa @ Gyanappa Ramappa,
S/o.Ramappa @ Ramanna, 31 years, Agriculture,
 2. Basavaraja, S/o.Ramanna, 28 years, Agriculture,
- Both are R/o.Chikkayardiha village,
(Khurd), Lingasugur Taluk, Raichur Dist.

(Accused No.1 & 4 As per FIR)
(By Shri F.F., Adv.,)

// Versus //

RESPONDENT COMMON :-

The State through SHO, Mudgal P.S.,
Dist. Raichur.

(By learned Public Prosecutor)

COMMON ORDER

The petition in Crl.Misc.No.5231/2026 is filed under Section 483 of BNSS, whereas the petition in Crl.Misc.No.5230/2026 is filed under Section 482 of BNSS, for regular bail and anticipatory bail respectively, in connection with Cr.No.52/2026 registered by Mudgal Police Station for the offences punishable under Sections

189(2), 191(2), 191(3), 115(2), 118(1), 109, 352, 351(2), 74, 49, 190 of BNS.

2. The gist of the complaint lodged by Renukamma is that she is the wife of Goudappa, whose whereabouts have not been known for the last 20 years. The victim Sharanamma is her daughter. Accused No.7/Amaramma, accused No.8/Kariyamma and accused No.3/Ramanna are the sisters and brother of Goudappa. Accused No.2/Kariyappa and accused No.5/Buddappa are the sons of accused No.8. Accused No.9/Nagaratna is the daughter of Yallamma, who is the sister of Goudappa. Accused No.6/Gademma is the wife of accused No.3, and accused Nos.1 and 4 are the children of accused No.3. The land bearing Sy.No.104 of Janthapura Village, measuring 2 acres, had fallen to the share of Goudappa in a partition. The complainant was in possession and enjoyment of the said land. It is alleged that the accused were insisting that the land be transferred in the name of son of accused No.1/Gyanappa, but the complainant refused to do so. Consequently, civil litigation arose between the parties. It is further alleged that on 08.03.2026 at about 10.30 a.m., accused Nos.1 to 8 formed an unlawful assembly and went to the house of the complainant, where the complainant, her daughter Sharanamma, and her brother-in-law Hanumappa were present. The accused abused and insulted the complainant, her daughter and Hanumappa in filthy language and threatened them. Accused No.3/Ramanna is alleged to have assaulted Hanumappa with an iron rod and voluntarily caused hurt. Accused No.1/Gyanappa is alleged to have assaulted Amaresh and Manappa with an iron rod. Accused No.2/Kariyappa allegedly assaulted Manappa with a club, while

accused No.4 assaulted Shavamma with a club. It is also alleged that the accused used criminal force against the complainant and her daughter with the intention of outraging their modesty. As a result of the incident, Renukamma, Shavamma, Sharanamma, Manappa, Hanumappa and Amaresh are stated to have sustained injuries. Among them, Manappa and Amaresh allegedly sustained grievous injuries and were referred to the Government Hospital, Lingasugur, whereas the others received treatment at Mudgal Hospital. The matter was reported to the police on 11.03.2026. After registration of the FIR, the Investigating Officer arrested accused Nos.1 and 4. They have filed Crl. Misc. No.5231/2026 seeking regular bail. The remaining accused persons shown in the FIR have filed Crl. Misc. No.5230/2026 seeking anticipatory bail apprehending their arrest.

3. Since both petitions arise out of the same crime number, they are clubbed together and are being disposed of by this common order.

4. The prosecution has filed objections to both petitions, reiterating the allegations made in the complaint and seeking rejection of the petitions.

5. The learned counsel for the petitioners has argued that a civil dispute relating to the landed property is pending between the family members before the competent civil court and that, on account of such dispute, a false complaint has been lodged against the petitioners. There is an unexplained delay in lodging the FIR, which itself indicates false implication. The offences alleged are not punishable exclusively with death or imprisonment for life. The continued detention of accused Nos.1 and 4 in judicial custody is not necessary and that the custodial interrogation of the remaining

petitioners is not required. If the petitioners are arrested, they would be subjected to unnecessary humiliation.

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

7. I have carefully perused the records.

8. The following points arise for my consideration:

1. Whether the petitioners in Crl.Misc.No.5231/2026 are entitled to regular bail under Sec.483 of B.N.S.S. ?

2. Whether the petitioners in Crl.Misc.No.5230/2026 are entitled to anticipatory bail under Sec.482 of B.N.S.S. ?

9. My findings on the above points are in the affirmative, for the following;

:: REASONS ::

10. **Point Nos.1 & 2:-** The petitioners have produced a copy of the plaint and order sheet in O.S. No.281/2025 pending on the file of the Senior Civil Judge, Lingasugur. The said suit has been instituted by Renukamma and her daughter Sharanamma against the brothers and sisters of Goudappa and other family members seeking partition and separate possession of the land bearing Sy.No.104 and other joint family properties. The suit was admittedly pending prior to the registration of the present FIR, which prima facie indicates the existence of a civil dispute between the parties before the alleged incident.

11. The alleged incident is stated to have taken place on 08.03.2026 at about

10.30 a.m., whereas the first information came to be registered on 11.03.2026 at about 8.00 p.m. Thus, there is a delay in lodging the FIR. Though an explanation is offered in the complaint that the victims were taking medical treatment and, therefore, the complaint could not be lodged immediately. At this stage, the delay in registration of the FIR creates some doubt regarding the prosecution case.

12. The offences punishable under Sections 109, 118(1) and 74 of the BNS are the non-bailable offences alleged against the petitioners, whereas the remaining offences are bailable in nature. None of the offences alleged are punishable with death or imprisonment for life.

13. The prosecution has invoked Section 109 of the BNS on the allegation that the accused attempted to commit the murder of the complainant and other victims. The complaint discloses that Manappa and Amaresh allegedly sustained grievous injuries and were referred to Bagalkot Hospital, whereas the remaining victims received treatment at Mudgal Hospital. This allegation itself indicates that, except Manappa and Amaresh, the other victims sustained only simple injuries. At this stage, no medical records have been produced to prima facie establish that Manappa and Amaresh sustained grievous injuries. It is also not the case of the prosecution that either of them is still undergoing treatment or that their lives are in danger. On the contrary, the objections filed by the prosecution indicate that all the injured persons have been discharged from the hospital and are out of danger.

14. The complainant and the accused are close relatives and members of the same family. The material on record discloses that there is a longstanding dispute relating to the landed property and that a partition suit is pending between them. Accused Nos.1 and 4 have already been arrested and their custodial interrogation has been completed. Therefore, their further detention in judicial custody does not appear to be necessary.

15. The remaining petitioners are permanent residents within the jurisdiction of this Court and their presence can be secured whenever required for the purpose of investigation and trial. If they are arrested, they would be subjected to unnecessary humiliation. Their custodial interrogation does not appear to be necessary. Further, nothing remains to be recovered at their instance. Having regard to the nature of the allegations, the existence of the civil dispute between the parties, and the facts and circumstances of the case, I am of the opinion that accused Nos.1 and 4 are entitled to be enlarged on regular bail and the remaining accused/petitioners are entitled to the relief of anticipatory bail. Accordingly, I answer the points under consideration in the affirmative and proceed to pass the following:

ORDER

The bail petition in Crl.Misc.No.5231/2026 filed by the petitioners under Section 483 of BNSS is hereby allowed.

The petitioners are ordered to be released on bail in Cr.No.52/2026 of Mudgal Police Station on executing a 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 furnish ID proof of themselves and the surety.
2. They shall not tamper with or threaten the prosecution witnesses.
3. They shall appear before the court regularly.

The bail petition in Crl.Misc.No.5230/2026 filed by the petitioners under Section 482 of BNSS is hereby allowed.

The Mudgal Police are directed to release the petitioners in Crl.Misc.No.5230/2026 on anticipatory bail, in the event of their arrest in Cr.No.52/2026, on executing a 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 and surety bonds.
2. They shall furnish ID proof of themselves and the surety.
3. They shall co-operate with the investigation.
4. They shall not tamper with or threaten the prosecution witnesses.

(Dictated to the Steno Grade-I, transcribed by her, corrected, signed, and then pronounced by me in open court on this the 17th day of June, 2026.)

(B. B. Jakati)

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