



**IN THE COURT OF THE I ADDL. DISTRICT AND
SESSIONS JUDGE, RAMANAGARA**

PRESENT:

**Smt. M. Panchakshari, M.Com.,LL.B,
I Addl. District & Sessions Judge, Ramanagara.**

Dated this the 27th day of March 2026

CrI.Misc.No.26/2026

**Petitioner/
Accused**

**Sri. Chandrashekar,
S/o. Puttaswamy,
Aged about 40 years.
R/at Madigondanahalli Village,
Kudur Hobli, Magadi Taluk,
Bengaluru South District.**

(By Sri.Thimmaraju, Adv.)

Vs.

RESPONDENT:

**The State of Karnataka,
by Kudur P.S.**

(By Learned P.P., Ramanagara)

O R D E R

The petitioner/accused had filed this petition under Sec.483 of B.N.S.S., 2023 seeking bail with respect to Cr.No.239/2025 (S.C.No.101/2025) of

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Tavarekere Police Station, registered for the offence punishable under Section 103 of BNS 2023.

2. The petitioner by reiterating the contentions in the first information report had contended that the petitioner had not committed any offence as alleged in the complaint. Petitioner hails from respectable family, he is law abiding and peace loving citizen and he do not have any criminal antecedents. He is the only earning member of his family and he is having two children. The petitioner has been falsely implicated in the case. The Investigating Officer had already filed the charge sheet so the presence of the petitioner is not required for any investigation purpose. He is ready to abide by any condition that would be imposed by this Court and co-operate with the course of trial and also he will not hamper the prosecution witnesses and tamper the investigation. Hence, prayed for allowing the bail petition.

3. The Learned Public Prosecutor had filed objections by reiterating the prosecution's story. It is contended in the objections that the accused had assaulted the deceased with stone over the head of the deceased on account of which he sustained bleeding injuries and died on account of sustaining head injury. Inquest and the postmortem is also

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conducted, which makes out injury is found hit on the head with stone and "Fracture of right horn of hyoid bones noted with blood extravasation in the fracture site" and "Death is due to combined effect of head injury and manual strangulation". The circumstantial statements of the deceased's wife and CW14 Mahadevi confirm the crime and it is established from the statement of witnesses in the charge sheet and evidence collected. The reasons given by the accused is false and created story for the purpose of obtaining bail. The offence alleged against the accused is heinous offence, which is punishable with death or imprisonment for life. Hence, in such circumstances, if accused is enlarged on bail, there are every chances of he tampering the prosecution witnesses. The learned Public Prosecutor had also relied on judgment of the **Apex Court reported in Criminal Appeal No.1272 of 2015 Neeru Yadav Vs. State of U.P** and prayed for dismissal of the bail petition.

4. Heard the learned counsel for the petitioner/accused and also the learned Public Prosecutor for the State.

5. The following points arise for court consideration;

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1) Whether the petitioner/accused makes out sufficient grounds for his enlargement on bail under Sec.483 of BNSS?

2) What order?

6. The findings of this court on the above points are as under;

Point No.1: In the Negative.

Point No.2: As per the final order for the following;

REASONS

7. **POINT No.1:** On going through the prosecution papers, it clearly shows that the respondent police have registered the case against petitioner/accused for the offence punishable under Section 103 of BNS and after through investigation, the respondent police had filed the charge sheet against the petitioner.

8. The allegations against the petitioner is that, the petitioner and deceased are own brothers and they use to have alcohol every night at their house. On 23.07.2025, as usual at about 8-30 to 9-30 p.m., both deceased and petitioner were having alcohol and thereafter, on the intoxication there was galata between deceased and petitioner and on hearing of

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sound CW1 came to the spot pacify the galata. Again at about 11-00 p.m., deceased abused the petitioner in filthy language and deceased bitten the eyebrow of petitioner, then petitioner on the account of sudden provocation assaulted the deceased by stone and committed his murder.

9. The petitioner who being the accused in this case is in judicial custody. On completion of investigation, charge sheet came to be filed and the case is registered in S.C.No.101/2025 for the offence punishable under Section 103 of BNS. On perusal of the charge sheet it makes out that there are altogether 30 witnesses in the case and the charge is yet to be framed in this case. The offence alleged against the accused being non-bailable in nature it is punishable with death or imprisonment for life. CW1 is the eyewitness to the incident and he is the material witness in this case. It is the contention of the petitioner that, the alleged incident taken place on account of sudden quarrel and charge sheet had already been filed as such, the petitioner is entitled for bail. He had been falsely implicated in the case, nothing is made out in the petition as to how the death of the deceased is caused. There is no dispute with regard to the death and the postmortem having

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conducted as contended in the objection of the Learned Public Prosecutor, "Combined effect of head injury and Manual Strangulation". So. when such being the case, as the offence alleged is the heinous offence, the nature and gravity of the acquisition as well as the severity of the punishment is to be taken into consideration.

10. The Learned Public Prosecutor had relied on the judgment reported in **Criminal Appeal No.1272/2015 Neeru Yadav Vs. State of U.P.**, whereby in para-9, the factors to be borne in mind while considering an application for bail are referred to in the above case law which reads as follows;

- 1) whether there is any prima-facie reasonable ground to believe that the accused had committed the offence;
- 2) nature and gravity of the accusation;
- 3) severity of the punishment in the event of conviction;
- 4) danger of the accused absconding or fleeing, if released on bail;
- 5) character, behaviour, means, position and standing of the accused;
- 6) likelihood of the offences being repeated;

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7) reasonable apprehension of the witnesses being influence; and

8) danger, of course, of justice being thwarted by grant of bail.

So considering this fact, as offence alleged is heinous offence, that too the allegation against the petitioner is that he had committed murder of his own brother in the same house. So, whether it is an intentional killing or sudden provocation can only be proved under the trial. Hence, considering all these facts this Court is of the opinion that it is not a fit case to grant bail at this stage. In the circumstance, I hold the above point in Negative.

11. **POINT No.2:** In view of the discussions made supra, this court proceeds to pass the following;

ORDER

The bail petition filed by the petitioner/
accused under Section 483 of BNS-2023, is
hereby dismissed.

(Dictated to the Stenographer Grade-I transcribed, typed by her and after corrections, printout taken and then pronounced and signed by me in the open Court, on this the 27th day of March 2026)

(M. Panchakshari)
I Addl. Dist. & Sessions Judge,
Spl. Judge, Ramanagara.

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