



**IN THE COURT OF THE I ADDL. DIST & SESSIONS JUDGE,  
RAMANAGARA**

**PRESENT:**

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

**Dated this the 17<sup>th</sup> day of April, 2026**

**Spl.C.No.14/2026**

**Complainant :** State of Karnataka  
by DCRE P.S.,  
Ramanagara.

**(By P. P., Ramanagara)**

**Vs.**

**Accused  
No.2 :** Mahesh,  
Aged about 38 years,  
S/o. Ramanna,  
Abbur Village,  
Kasaba Hobli,  
Channapatna Taluk,  
Ramanagara District.

**(By Sri.B.C.V., Advocate)**

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**ORDER ON BAIL APPLICATION UNDER SECTION 483  
of BNSS-2023.**

The applicant/accused No.2 have filed bail application U/Sec.483 of B.N.S.S. 2023, praying to grant bail in connection to Cr.No.83/2025 (Spl.C.No.14/2026)



of Ramanagara DCRE Police, registered for the offences punishable under Secs.103 & 238 of BNS, 2023.

2. The applicant by reiterating the contentions in the first information report had contented that, he is innocent of the alleged offences and he has not committed any such offences as alleged in the complaint and he had been falsely implicated in the case. The applicant/accused No.2 is in judicial custody since from 05.11.2025. The offence alleged against the accused is punishable with death or imprisonment for life or imprisonment exceeding 10 years. Except the accused there is no other persons in his family to take care of his wife and school going children. He is the permanent resident of the address shown in the cause title and he is ready and willing to abide by any conditions that would be imposed by this court and also ready to furnish surety to the satisfaction of the court. Hence, prayed to release him on bail by allowing the application.

3. The Learned Public Prosecutor has filed the objections by reiterating the allegations in the prosecution story and contended that, there are sufficient materials to show the commission of the alleged offence by the accused so, he is not entitled for release on bail. The investigation having completed and filed the charge sheet against the accused persons. The offence alleged



against the accused is heinous and non-bailable in nature and punishable with death or imprisonment for life. The grounds urged on behalf of the petitioner is only with sole intention to obtaining the bail. So, if the accused is released on bail, there is every chances of he tampering the prosecution witnesses and thereby hampering the investigation. By relying on the Judgment of **Hon'ble Apex Court in Crl. A.No.1272/2015 (Neeru Yadav Vs. State of UP)**. Hence, prayed for dismissal of the bail application.

4. Heard on behalf of the accused as well as the learned Public Prosecutor for the State.

5. The following points arise for court consideration is;

1) Whether the accused No.2 makes out sufficient grounds for his enlargement on bail Sec.483 of B.N.S.S. 2023?

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 the applicant and accused No.1 for the offence punishable under Secs.103 & 238 of BNS, 2023 and after thorough investigation they have filed the charge sheet against the applicant and accused No.1 in Spl.C.No.14/2026.

The allegations against the accused persons is that, on 26.10.2025 the deceased and CW26 Renuka @ Kullamma and accused No.1 Venkatagiri went to Raghavendra Wines and consumed alcohol at about 06.45 p.m., and at about 07.00 p.m., the accused No.1, deceased and another person were proceeding on flat form No.1 in Channapatna Railway Station. Based on the said information the investigating officer secured accused No.1 & 2 to the police station and interrogated them. During investigation it reveals that the accused No.1 & 2 belongs to Vokkaliga Community. The quarrel was taken place between the accused No.1 and the deceased with regard to girl friend of accused No.1 by name Rathna. Due to the said ill will the accused No.1 prepared a plan to take away the life of deceased with the help of accused No.2. The accused No.1 has taken



one iron rod and came to Ramanagara in train and got down and proceeding towards Bidadi on railway track and accused No.1 assaulted the deceased with a rod over his head and accused No.2 assaulted the deceased over his private part with jelly stone and committed murder and after they have thrown the deadbody on the railway track and went away.

8. In the objections the Learned Public Prosecutor had contented that a suo motu complaint came to be registered by the Railway Police as the dead body was found on the railway track being severely injured caused by the sharp edge weapon. As the deceased had made bad talk about the friend of accused No.1 i.e., CW31, having vengeance accused No.1 conspired with accused No.2 and called the deceased and took him in the train from Channapatna to Ramanagara and assaulted the deceased with the help of iron pipe rod and also assaulted the deceased on his private part with the stone and committed his murder and thereafter to picturise the said murder as accidental death they made to lie down his dead body on the railway tract which fact is revealed in the process of investigation.

9. Here in this case last seen theory is applicable, whereby CW27 is the person who had last seen the deceased with the accused persons so, it is the



contention of the learned Public Prosecutor that there are sufficient materials to make out the involvement of the accused in this case. Hence, the Learned Public Prosecutor had relied on the **Judgment of the Hon'ble Apex Court in Criminal Appeal No1272/2015 Neeru Yadav Vs. State of Uttar Pradesh**, had sought for rejection of the bail petition as the offence alleged is heinous in nature. Para No.9 of the aforesaid case law is called out in the objections 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;

7. Reasonable apprehension of the witnesses being influence; and

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

10. The very contention of the petitioner is that, accused No.2 never met the accused No.1 and the deceased at any point of time. He is working as a driver in a Private Firm at Bangalore. Every day he used to



travel from Channapatna to Bangalore in train. On 05.11.2025 he returned from his work and while taking rest in his house Police Constable of **private police station** brought him to the police station and implicated him as an accused in the case. So according to the petitioner who being the accused No.2, he is no way connected to the crime alleged in this case and he has been falsely implicated. Based on the last seen theory in the process of investigation, in the voluntary statement of the accused persons it is alleged that, they have taken the police officials to the places where they have thrown the weapons used for the commission of the offence. The offence under Section 103 of BNS is perishable with the capital punishment of death sentence. On the other hand, Section 3(2)(5) of SC/ST Act is also involved in this case. In the judgment relied upon by the Learned Public Prosecutor, it clearly makes out that for granting bail the court has to take into consideration the nature and gravity of the acquisition, severity of the punishment in the event of conviction and whether there is any prima-facie reasonable grounds to believe that the accused had committed the offence. With regard to the story of the prosecution has narrated by CW27 is not disputed by the petitioner. Postmortem of the dead body having conducted, there being injuries on the genital part of the deceased and also other injuries. The Doctor had obtained that the death is due to shock and hemorrhage



as a result of multiple injuries sustained. There is no any specific averments by the petitioner hence, as the offence alleged is heinous in nature, taking into consideration the nature and gravity of the acquisition and the severity of the punishment in the event of conviction, this court is of the opinion that if bail is granted at this stage there are every chances of he tampering the prosecution witnesses and also fleeing from justice. So, in the circumstance I hold above point in **Negative**.

11. **Point No.2**: In view of above point, I proceed to pass the following:

**ORDER**

The bail application filed by the applicant/accused No.2 under Section 483 of B.N.S.S. 2023, is hereby dismissed.

(Dictated through Adalath AI, thereafter transcribed by Stenographer Grade-III and after corrections, printout taken and then pronounced and signed by me in the open Court, on this the 17<sup>th</sup> day of April, 2026).

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