



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

PRESENT:

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

Dated this the 21st day of April 2026

Crl.Misc.No.202/2026

Petitioner/

Accused No.2 : Ravi L.S.,
S/o. R.B.Joshi,
Aged about 50 years,
R/at: Door # 11,
Lokasara Village,
Kothathi Hobli, Mandya Taluk,
Mandya District.

Now working in Axis Bank as
Security. Bangalore South
(Ramanagara).

(By Smt.A.S.C., Advocate)

Vs.

Respondents : 1) The State
by DCRE Police Station,
Ramanagara.

(By P.P., Ramanagara)

2) Smt. Manjula,
W/o.Basavaraju,
Aged about 40 years,



R/at: Ward #2, Vijayanagar,
Ramanagar Town,
Bengaluru South District.

(In person)

ORDER

The petitioner/accused No.2 has filed this petition U/Sec.482 of Bharatiya Nagarika Suraksha Sanhita-2023 seeking anticipatory bail with respect to Cr.No.5/2026 of Ramanagara DCRE Police Station for the offences punishable under Sec.79 R/w.3(5) of Bharatiya Nyaya Sanhita-2023 & under Secs.3(1)(r), 3(1)(s), 3(1)(w) & 3(2)(5a) of SC & ST (Prevention of Atrocities) Amendment Act-2015.

2. The petitioner by reiterating the contentions in the first information report had contended that, the petitioner had not committed any such offence as alleged in the complaint and he is innocent person. The petitioner hails from respectable family and having deep roots in the society and never been convicted and charged with any offence prior to this complaint. He is ready and willing to abide by any conditions that would be imposed by this court and he also undertakes to co-operate with the investigating officer. Apprehending his arrest and pleading false implication, the petitioner has



sought anticipatory bail. Hence, prayed for grant of bail by allowing the petition.

3. The Learned Public Prosecutor has filed the objections by reiterating the allegations in the first information report and contended that, there are sufficient materials to show the commission of the alleged offence by the petitioner. Since from the date of registration of the complaint the petitioner is absconding so, if at this stage if he is granted pre-arrest bail he will permanently abscond from the process of the court. As per the complaint averments the petitioner in collusion with the other accused persons subjected the complainant to harassment by not providing any financial benefits and wrongfully terminated her from employment so, it prima-facie makes out the case against the petitioner. As there is bar under Sec.18 and 18(A) of SC & ST (Prevention of Atrocities) Amendment Act, the petitioner is not entitled for pre-arrest bail and the petition is not maintainable. So, if the petitioner is released on bail, there are every chances of he tampering the prosecution witnesses and thereby hampering the investigation and creating the problem to the complainant and prosecution witnesses and also absconding from the process of the court. Hence, prayed for rejection of the bail petition.



4. Notice to the respondent No.2 having served. She appeared before the court and filed her objection as per her complaint averments. It is her contention that, if petitioners is enlarged on bail, there are every chances of they giving life threat to her and her family members. Hence, prayed for rejection of the bail petition.

5. Heard the learned counsel for the petitioner and also the learned Public Prosecutor for the State.

6. The following points arise for court consideration;

1) Whether the petitioner/accused No.2 had made out sufficient grounds to exercise discretion under section 482 of BNSS., to grant anticipatory bail in his favour?

2) What order?

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

Point No.1:- In the Affirmative.

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



REASONS

8. **Point No.1:-** On going through the documents produced by the petitioner, it clearly shows that the respondent police have registered the case against the petitioner for the offence punishable under Sec.79 R/w.3(5) of Bharatiya Nyaya Sanhita-2023 & under Secs.3(1)(r), 3(1)(s), 3(1)(w) & 3(2)(5a) of SC & ST (Prevention of Atrocities) Amendment Act-2015 and the respondent police had taken up the matter for investigation.

The allegations against the accused persons is that, complainant belong to Schedule Caste Holeya Community and she is working as a housekeeping in Axis Bank, Ramanagara Branch. Accused No.1 is working as Manager in the Ramanagar Branch since 2 years. Now, since 1 year at the instigation of accused No.2 i.e., the petitioner herein who is working as Security in the Bank accused No.1 with vengeance opposed the complainant serving tea, coffee and other eatables saying that complainant belong to Holeya schedule caste and started giving problem to her. It is also alleged that, she had been humiliated in front of the Bank Officials and customers by taking the name of her caste. Further alleged that, she is made to see the obscene pictures through accused No.2 by internet.



She had been harassed by saying that, if she can bear all these, she can continue her work. The complainant alleges that, accused No.1 through accused No.3 had mentally harassed her by insisting her to make video call while in the washroom so, as she had not assisted accused No.1 to 3 she had now been transferred through the agency of accused No.4.

9. It is contended by the learned Public Prosecutor in the objections that, accused No.1 to 4 belong to other caste and their caste certificate is yet to be secured. Since from the date of registration of the complaint the petitioner is absconding so, if at this stage if he is granted pre-arrest bail he will permanently abscond from the process of the court. On the other hand, Learned Public Prosecutor had also mainly contented on the ground that as the offence alleged Comes under the Provisions of SC/ST Prevention of Atrocities Act. There is bar for grant of anticipatory bail under Section 18 and Section 18A of the Act.

10. If the contention of the petitioner is taken into consideration, the petitioner who being the accused No.2 had contended in his bail petition that the de-facto complainant Smt. Manjula had made several series of allegations against the petitioner. The



resource agency of the Bank had transferred the complainant from the Branch of the Ramanagara to the different Branch. The petitioner/accused No.2 is innocent, he had not at all committed any offence as alleged in the first information report. The complainant has foisted a false and fictitious case against them just to tarnish their image in the society, as she has an ill will against the petitioner. The petitioner having all reasonable apprehensions that in the event of his arrest by the respondent police, the petitioner will be subjected to all sorts of torture and humiliation at the hands of the respondent police. The entire case arises out of service termination issue, if any remedy lies under labour laws, not under the criminal prosecution. petitioner is also working as one of the security personal in the same Bank.

11. The recruitment of staff for housekeeping and cleaning was entrusted to an agency called Arrow Commercial Services Pvt. Ltd., and this agency is responsible for the recruiting, hiring, deploying and transferring of the workforce to the Bank. Pursuant to which the agency had issued an Appointment Letter to the de-facto complainant and the agency has also issued a deployment Intimation Letter to the Bank thereby deploying the complainant for the post of housekeeping staff on the contractual basis. It is the



agency who had transferred the complainant to a different branch.

12. If the averments in the complaint is taken into consideration, wherein she has stated that after the petitioner got transferred to the Ramanagar Branch, complainant had worked for 1 year without any problem thereafter, at the instance of Security of the Bank by name Ravi i.e., the petitioner had instigated the petitioner and protested her from serving tea, coffee and eatables to the staff of the Bank mainly for the reason that she belong to Schedule Caste. Here the important factor that has to be taken into consideration is that when the complainant had worked for 1 year in accused No.1's Bank without any problem or hindrance, what made the Manager of the Bank to have animosity against the complainant with the instigation of the petitioner who being the security of the bank that too for the reason that she belong to a Scheduled Caste. So at this juncture it is very pertinent to extract the very words of the complainant in her complaint which reads as follows:

"ವ್ಯವಸ್ಥಾಪಕ ಹುದ್ದೆಗೆ ವರ್ಗಾವಣೆಗೊಂಡು ಬಂದಿದ್ದು, ಆತ ಬಂದ ನಂತರ 1 ವರ್ಷಗಳ ಕಾಲ ಯಾವುದೇ ತೊಂದರೆ ಇಲ್ಲದೇ ನಾನು ಸದರಿ ಬ್ಯಾಂಕಿನಲ್ಲಿ ನನ್ನ ವೃತ್ತಿ ಯನ್ನು ನಿರ್ವಹಿಸಿಕೊಂಡು ಬಂದಿರುತ್ತೇನೆ.

ಒಂದು ವರ್ಷದ ಕಳೆದ ನಂತರ ಅದೇ ಬ್ಯಾಂಕಿನಲ್ಲಿ ಸೆಕ್ಯೂರಿಟಿ ಆಗಿ ಕೆಲಸ ಮಾಡುವ ರವಿ ಎಂಬುವವರ ಚಿತ್ತಾ ವಣೆ



ಮೇರೆಗೆ ಸಂಜೀವ್ ಜೋಷಿರವರು ನಾನು ಹೊಲೆಯ ಜಾತಿಗೆ ಸೇರಿದ್ದೇನೆಂದು ಸದರಿ ಸಂಜೀವ್ ಜೋಷಿರವರು ಜಾತಿ ಹಗೆ ಸಾಧಿಸಿಕೊಂಡು ಬಂದು ಶಾಖೆಯಲ್ಲಿ ಕೆಲಸ ಮಾಡುವ ಆತನಿಗೆ ಮತ್ತು ಇತರ ಸಿಬ್ಬಂದಿಗೆ ಕಾಫಿ, ಟೀ, ಇತರ ತಿಂಡಿ-ತಿನಿಸುಗಳನ್ನು ನೀಡುವ ಹೊಲೆಯ ಜಾತಿಗೆ ಸೇರಿದವರಿಂದ ತರಬೇಡ ಕೆಲಸಕ್ಕೆ ಮೇಲ್ವಾರ್ತಿಯವರನ್ನು ನೇಮಕ ಮಾಡಿಕೊಳ್ಳುತ್ತೇವೆ ಎಂದು ತೊಂದರೆ ಕೊಡಲು ಪ್ರಾರಂಭಿಸಿ ನನ್ನನ್ನು ಉದ್ದೇಶಿಸಿ ಬ್ಯಾಂಕ್ ಸಿಬ್ಬಂದಿ ಮತ್ತು ಗ್ರಾಹಕರ ಸಮ್ಮುಖದಲ್ಲಿ ನನ್ನ ಜಾತಿ ಹೆಸರು ಹೇಳಿಕೊಂಡು ತೇಜೋವಧೆ ಮಾಡುತ್ತಿರುವುದಲ್ಲದೆ ಸಾಮಾಜಿಕ ಜಾಲತಾಣದಲ್ಲಿ ಮೊಬೈಲ್ ನಲ್ಲಿ ಬರುವ ಅಶ್ಲೀಲ ನಗ್ನ ಚಿತ್ರಗಳನ್ನು ಮೇಲ್ಕಂಡ ರವಿ ಮೂಲಕ ನನಗೆ ತೋರಿಸಿ, ನೀಡುವ ಇವುಗಳೆಲ್ಲವನ್ನೂ ಸಹಿಸಿಕೊಂಡು ಕೆಲಸ ಮಾಡುವುದಾದರೆ ಮಾಡು ಇಲ್ಲವಾದರೆ ಕೆಲಸ ಬಿಟ್ಟು ಹೋಗು ಎಂದು ಕಿರುಕುಳ ನೀಡುತ್ತಿರುವುದಲ್ಲದೆ..... "

13. It is argued on behalf of the petitioner that, deputing for the work and removal from the work is all through the agency and petitioner who being the Security has nothing to do with the employment of the complainant. Now, mainly because she had been transferred to Bidadi Branch as she is not interested to go and work at Bidadi Branch, now a false allegation is made against the Security of the Bank so as to falsely implicate in a case of Atrocity against the Scheduled Caste and Scheduled Tribe. Now, only out of fear of being transferred the complainant had made false allegation. Why should a Bank Manager get instigated by a security guard.

14. At this juncture this court would like to rely on the Judgment in the case of **Prathvi Raj Chauhan**



Vs. Union of India, the Hon'ble Apex Court has held as follows:

"Firstly, grant of anticipatory bail under S.438 CrPC is barred in respect of offences under the 1989 Act- However, where prima facie case not made out, anticipatory bail can be granted in appropriate circumstances, with a cautious exercise of power-Ss.18 & 18-A of the 1989 Act have no application where prima facie case is not made out-However, for evaluating prima facie case, reappraisal of evidence is not required."

So, when the complaint does not make prima facie case for applicability of the Provisions of 1989 Act, the bar created by Section 18 and 18A(1) shall not apply. The Hon'ble Apex Court has held that the court can in exceptional cases exercise powers under Section 482 of Cr.P.C., for quashing the case to prevent misuse of provision on settled parameters.

15. It is the contention of the petitioner that, if such atrocity is being committed since 1 year nothing prevented the complainant to bring it to the notice of authorities who had appointed her or take appropriate steps against accused persons at right time. petitioner is working as security persona in the Bank. The



offence though being non-bailable in nature, it is neither punishable with death or imprisonment for life.

16. Taking into consideration the facts and circumstances in this case, whereby if the allegations in the complaint are taken into consideration that it is a bare allegations made against the petitioner who is in no way connected to the employment or transfer of the complainant. So, as there is no prima facie case made out against the accused No.2 who being the petitioner herein, bar under Section 18 and Section 18A cannot be made applicable with regard to petitioner. Petitioner is the permanent resident of the address shown in the cause title and he is also employed in same Branch so, apprehension of he absconding from the process of court is very remote. So, in the circumstance if reasonable conditions are imposed it will meet the objections raised by the Learned Public Prosecutor. In such circumstance, I hold the above point in **Affirmative.**

17. **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 No.2 under Sec.482 of BNSS is hereby allowed.

The jurisdictional police are directed to release the petitioner/accused No.2 in case of his arrest in Crime No.5/2026 of Ramanagara DCRE Police Station, on executing his personal bail bond for a sum of **Rs.50,000/- with one surety** for like-sum to the satisfaction of the IO, subject to the following;

CONDITIONS

1) The petitioner/accused No.2 shall surrender before the I.O. within 15 days from the date of this order.

2) The petitioner/accused No.2 shall mark his attendance in the jurisdictional police station once in 15 days till filing of charge sheet.

3) The petitioner/accused No.2 shall appear before the court on all hearing dates without fail.

4) The petitioner/accused No.2 shall not threaten or entice the complainant and the prosecution witnesses in any manner.

5) The petitioner/accused No.2 shall not change the abode prior permission of the court.



6) The petitioner/accused No.2 shall furnish his permanent address proof.

(Dictated through Adalath AI, thereafter transcribed by the Stenographer Grade-III and after corrections, printout taken and then pronounced and signed by me in the open Court, on this the **21st day of April, 2026**).

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