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

PRESENT

Smt. M. Panchakshari, M.Com.,LL.B.,
I Addl. Dist. & Sessions Judge, Ramanagara
C/c III Addl. Dist. & Sessions Judge, Ramanagara.

Dated this the 4th day of April 2026

Crl.Misc.No.117/2026

Petitioners/
A1 to A11 :

1. Syed Najamuddin,
S/o. Syed Rahamath Peer,
Aged about 59 years,
R/at Bhadamakhan,
Channapatna Town,
Bengaluru South District.
2. Sajjad @ Syed Sajjad Hussain,
S/o. Syed Najamuddin,
Aged about 23 years,
R/at Bhadamakhan,
Channapatna Town,
Bengaluru South District.
3. Moktar @ Durvesh Syed Muktar Ahmed,
S/o. Late Syed Rahamath Peer
Sha Khadri, Aged about 60 years,
R/at Bhadamakhan, Akhil Shahi Mohalla,
M.G. Road, Channapatna Town,
Bengaluru South District.
4. Javad @ Syed Javad Ahmed,
S/o. Durvesh Syed Muktar Ahmed,
Aged about 24 years,
R/at Bhadamakhan,
M.G. Road, Channapatna Town.

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5. Mustafa @ Syed Kashif,
S/o. Durvesh Syed Muktar Ahmed,
Aged about 26 years,
R/at Bhadamakhan,
Channapatna Town.
6. Hadi @ Syed Rahmath Peer,
S/o. Durvesh Syed Muktar Ahmed,
Aged about 30 years,
R/at Bhadamakhan,
M.G. Road, Channapatna Town.
7. Momina @ Saiyada Momina,
S/o. Syed Aftab Ahmed,
Aged about 42 years,
R/at Bhadamakhan,
M.G. Road, Channapatna Town.
8. Aisha @ Aisha Kausar,
W/o. Syed Sirajuddin,
Aged about 41 years,
R/at Near Dubai Candimendus,
M.G. Road, Channapatna Town.
9. Sara @ Bibi Sara,
W/o. Najamuddin,
Aged about 45 years,
R/at M.G. Road, Channapatna Town.
10. Naseer @ Nasirunnisa,
S/o. Late Syed Tahamath Peer,
Aged about 52 years,
R/at Bhadamakhan,
M.G. Road, Channapatna Town.
11. Mudaseer @ Durvesh Syed Mudaseer
Pasha Khadri S/o. Syed Najeer,
Aged about 44 years,
R/at Bhadamakhan,
Channapatna Town.
(By Sri.M.D.K., Advocate)

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**Vs.**

Respondent : The State
by Channapatna East Police Station,
Channapatna Taluk,
Bengaluru South District.

(By learned Public Prosecutor)

ORDER

The petitioners/accused No.1 to 11 has filed this petition U/Sec.482 of BNSS-2023, prayed to grant of anticipatory bail in connection to Cr.No.71/2025 of Channapatna East Police Station registered against the petitioners for the offences punishable under Sec.74, 77, 115(2), 351(2) & 352 r/w Sec.190 of Bharatiya Nyaya Sanhita, 2023.

2. The petitioners by reiterating the contentions in the first information report have contended that, they have not committed any such offences and they are innocent persons. Petitioners hails from respectable family and they are law abiding citizens. There is no direct or indirect witnesses and documents to the alleged incident. They are the permanent residents of the address shown in the cause title so, there is no chance of absconding or avoiding the trial. The offences alleged against the petitioners are not punishable with death or imprisonment for life, except

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the offence under Sec.74 of BNS. They are ready and willing to abide any conditions that would be imposed by the court and furnish surety to the satisfaction of this Court. Apprehending their arrest and pleading false implication the petitioners have sought for anticipatory bail. Hence, prayed to release them on 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, the offence committed against women which required serious consideration of atrocity against women. The offence alleged against the petitioner is punishable not less than 1 year but may extend to imprisonment for 5 years. So, the gravity of the offence is considerable fact at this stage. Petitioners are residing in the same locality, if their prayer is entertained they will indulge in similar offence in future days also. Petitioners failed to establish the condition precedent for pre-arrest bail i.e., apprehension of arrest the application is not maintainable. The matter is on probe. Investigation is still in progress, so the petitioners are not entitled for release on anticipatory bail. If they are released on bail, there are every chances of they tampering the prosecution witnesses and thereby hampering the investigation and they will flee from the jurisdiction

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and protract the trial. Hence, prayed for rejection of the anticipatory bail petition.

4. I have heard the arguments of the Learned counsel for the petitioners and the Learned Public Prosecutor and perused the records.

5. The following points arise for court consideration;

1) Whether the petitioners/accused No.1 to 11 have made out sufficient grounds to exercise discretion under section 482 of BNSS, to grant anticipatory bail in their favour?

2) What order?

6. 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

7. **Point No.1**:- On going through the documents produced by the petitioners, it clearly shows that the respondent police have registered the case against the petitioners for the offence punishable under Sections.74, 77, 115(2), 351(2), and 352 r/w Sec.190

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of BNS-2023 and the respondent police had taken up the matter for investigation.

8. The allegations against the petitioners are that, on 19.09.2025 when the informant went to attend nature call the petitioner No.2 of the present petition was capturing the image of informant. The same has been questioned by informant for that he replied that she should withdraw the case which has been filed by her mother by that time all the petitioners came and assembled there and assaulted the informant by intimidating. The quarrel has been pacified by one Javed and Mohammed Akil.

9. It is the contention of the petitioners that the mother of the complainant by name Noorunnisa W/o Late Ibrahim Sharief, used to stay in darga and she used to prepare food and sleep in darga and thereby was making mess near the graveyard and causing nuisance to the people who come to worship the grave. So, to advice Noorunnisa's family members petitioner No.3 had lodged complaint on 18.09.2025 which is in connection to which NCR No.166/2025 is also registered. So based on the said complaint, mother of the complainant Noorunnisa W/o Late Ibrahim Sharief was sent out of darga. So, to take vengeance now this complaint is filed by the

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complainant. Except the offence under Sec.77 of BNS, rest of the offences are all triable before the Judicial Magistrate First Class. The offence alleged is neither punishable with death or imprisonment for life. It is also the contention of the petitioners that they are the permanent resident of the address shown in the cause title and they are ready to abide by any condition that would be imposed by the Court and also ready to stand the trial.

10. Taking into consideration the contention of the petitioners, whereby the offence under Section 74 & 77 of BNS being non-bailable in nature, it is neither punishable with death or imprisonment for life. On the other hand, at this stage Court cannot conduct mini trial. The only point that has to be taken into consideration is whether there are any chances of petitioners absconding from the process of the Court and tampering the prosecution witnesses or whether there is any criminal antecedents. As offence alleged are non-bailable in nature petitioner apprehends their arrest and they mainly contend that the allegations are all false. So, considering the fact that the petitioners being the permanent residents of the address shown in the cause title which comes under the jurisdiction of this Court being of Channapatna Town, as the petitioners are ready to abide by any condition that

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would be imposed by this Court if reasonable conditions are imposed, it will meet the objections raised by the Learned Public Prosecutor. Hence, I hold the above point in Affirmative.

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 petitioners/accused No.1 to 11 under Sec.482 of BNSS, is hereby allowed.

The jurisdictional police are directed to release the petitioners/accused No.1 to 11 in case of their arrest in Cr.No.71/2025 of Channapatna East Police Station on executing their personal bail bond for a sum of Rs.50,000/- each with one surety for like-sum to the satisfaction of IO/concerned Court subject to the following;

CONDITIONS

- 1) The petitioners/A1 to A11 shall surrender before the I.O. within 10 days from the date of receipt of the certified copy of this order.
- 2) The petitioners/A1 to A11 shall appear before the I.O. once in 15 days between 10-00 a.m., to 03-00 p.m., till filing charge-sheet.

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- 3) The petitioners/A1 to A11 shall before the court regularly on all dates of hearing and co-operate with the early completion of the investigation and the trial.
- 4) The petitioners/A1 to A11 shall not involve in any similar offence pending disposal of this case.
- 5) The petitioners/A1 to A11 shall not change the abode without prior permission of the Court.
- 6) The petitioners/A1 to A11 shall not threaten or entice the complainant and the prosecution witnesses.
- 7) The petitioners/A1 to A11 shall produce their voter I.D or Aadhar card for their permanent address proof.

In the event of violation of any of the above conditions the bail order shall automatically stands cancelled.

(Dictated through Aadalath AI, thereafter transcribed by Stenographer Grade-I and after corrections, printout taken and then pronounced and signed by me in the open Court, on this the 4th day of April 2026)

(M. Panchakshari)
C/c III Addl. District & Sessions
Judge, Ramanagara.