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**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 16th day of April, 2026

Crl.Misc.No.144/2026

Petitioner: Sri. Nagaraju P.,
S/o. PUttamadaiah,
Aged about 43 years,
R/at: No.251, 2nd Main,
2nd Cross, KHB Colony,
Channapatna Town,
Ramanagara District-562160.

(By Sri. H.B.S., Adv.)

Vs.

Respondent : The State
by Channapatna Rural P.S.,
Ramanagara District,
Ramanagara-562160.

(By P.P., Ramanagara)

ORDER

The petitioner had filed this petition U/Sec.482 of B.N.S.S.,
2023 (U/Sec.438 of Cr.P.C.) seeking anticipatory bail



apprehending registering of case by Channapatna Rural P.S., for the offences punishable under Sections 318, 120B, 351 of BNS, 2023 (U/Sec.420 & 506 of IPC, 1860).

2. The petitioner had filed this petition seeking pre-arrest bail on the ground that he has credible information that a false complaint may be lodged against him for the offence punishable under Section 318, 120B and 351 of BNS, 2023 with ulterior motive to pressurize and harass the petitioner. He has reasonable apprehension of arrest at the hands of respondent police in connection to false and fabricated complaint. He has been receiving threatening calls from the mobile phone 9845324699 warning the petitioner with dire consequences and threatening him to implicate in a false case of fraud.

3. It is the contention of the petitioner that, he is innocent of the offence alleged and he has not committed any offence so has to attract the false criminal case. He is a law-abiding citizen and he is from a respectable family. With an intention of illegally extracting money trying to harass the petitioner by colluding with the respondent police for illegal gain. The respondent police are acting upon the apprehension of the complainant to make hectic efforts to arrest and humiliate and harass and torture the petitioner. On the above grounds, the petitioner had prayed for allowing the petition by granting anticipatory bail in his favour in connection to the sale deed executed by him in favour of one



M.R.Chaitra, wife of S. Lingesh Kumar, which being the registered sale deed dated 29.04.2025.

4. The learned Public Prosecutor had filed the objections opposing the bail petition on the ground that, the petitioner alleges that he is Teacher working in a Government School and he had executed a registered sale deed dated 29.04.2025 in connection to which an sale consideration amount of Rs.49,00,000/- is to be paid by M.R.Chaitra, wherein she had falsely alleged that she had transferred an amount of Rs.25,00,000/- through online, but no such transfer is made. When this is brought to the notice of Chaitra and having called upon her to make payment, she had prayed time, but without making payment prolong the matter and when the petitioner proceeded for the cancellation of sale deed, M.R. Chaitra with political influence may file a complaint against the petitioner. Hence, on that apprehension the petitioner is seeking pre-arrest bail.

It is further contented by the Learned Public Prosecutor in connection to the above referred transaction, the Channapatna Rural Police had called upon the petitioner to furnish the details. So, on the basis of assumption without any proper reasons the petitioner had filed this petition, but there is no any apprehension of registering of the case or his arrest as there is no any police notice issued to the petitioner. Hence, the petition itself is not maintainable. On the other hand, the offences alleged in the petition are all punishable with less than 7 years imprisonment



which are triable by Judicial Magistrate Class and there is no apprehension of arrest in view of the guidelines of the reported judgment of **Hon'ble Apex Court** i.e., **Arnesh Kumar Vs. State of Bihar & Anr.** On the above grounds 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 made out sufficient grounds to exercise discretion under section 482 of BNSS, 2023 (U/Sec.438 of Cr.P.C.) 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 **Negative**.

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

REASONS

8. **Point No.1**:- The petitioner had sought for pre-arrest bail on the ground that, a complaint may be registered against



him before the respondent police for the offence punishable under Sections 318 & 351 of BNS & Section 120B of IPC. As per the facts narrated by the petitioner, he is a Government School Teacher, presently working as an Assistant Teacher at Bhagyashree School, Mallur Patna, Kudluru Road, Channapatna Taluk, Ramanagara District. The petitioner was absolute owner of the property bearing No.410, 3rd Main Road, Block No.1, KHB Layout, Ward No.31, Channapatna Town, Ramanagara District, bearing property No. 31-1-536-410. In due course he executed a registered sale deed dated 29.04.2025, vide No. CAN-1-00554-2025-26 registered in Sub Registrar Office, Channapatna, Ramanagara District, for sale consideration of sum of Rs.49,00,000/- in favour of one M. R. Chaitra W/o S. Lingesh Kumar. The said purchaser that a sum of Rs.25,00,000/- was transferred through online banking as part of the sale consideration. However in reality the said amount was never credited to the petitioner's bank account. The sale deed was executed based on such false representation and inducement. Upon discovering the fraudulent act of the said M.R. Chaitra, the petitioner insisted her to transfer the said amount, at that instance the said M. R. Chaitra requested the petitioner to provide some more time as she was under financial criteria and assured of the payment of the same. But even after expiry of several months she has not paid the said amount and kept on prolonging on one or the other reasons she failed to honour her commitment. When the petitioner insisted to pay the amount immediately or to get cancelled the registered sale deed, the purchaser allegedly



began threatening the petitioner by claiming political influence and further threaten to initiate false criminal proceedings instead of discharging her contractual obligation.

When the petitioner approached the jurisdictional police to lodge the complaint, it was not received. It is further submitted that, when the said M. R. Chaitra came to known that the petitioner is going to file a suit for cancellation of registered sale deed dated 29.04.2025 in the civil court she with a malafied intention to grab the property from the petitioner in collusion with the jurisdictional police and by misuse of political influence and financial power, has been harrasing the petitioner. The petitioner has been subjected to repeated telephonic calls from the respondent police station, directing him to appeared before the police without assigning any reasons. The petitioner received a threatening phone call from mobile number 9845324699, warning the petitioner of dire consequences and threatening to implicate him in a false case of fraud. Hence, the petitioner has genuine and reasonable apprehension that a false complaint may be lodged against him.

It is the contention of the petitioner that, he has bonafide apprehension that a false complaint may be lodged to implicate him in offences punishable under Sections 318 & 351 of BNS & Section 120B of IPC. He is the permanent resident of Ramanagara District, so there is no chance of him absconding or evading the process of law and he undertakes to co-operate with



the investigation and appear before the Investigating Officer. He is working as an Assistant Teacher in the Government School, so his false implication would cause irreparable harm to his reputation, career, and personal liberty.

9. The petitioner had produced an authorized copy of the sale deed which is executed by him in favour of M.R. Chaitra dated 29.04.2025 and the petitioner alleges that the part consideration amount of Rs.25,00,000/- which M.R. Chaitra who being the purchaser had agreed to pay through online transfer had failed to make such payment and when demanded to make payment she went on prolonging the issue and when petitioner wanted to file a civil suit for cancellation of the sale deed as the sale consideration amount is not paid, now M.R. Chaitra who being the purchaser, on political influence is trying to file a false complaint against the petitioner by falsely implicating him in the case. But if the objections of the Learned Public Prosecutor is taken into consideration, wherein it is contented that if at all any enquiry is to be done, petitioner can very much appear before the concerned police and produce his documents. So, there is no apprehension of arrest as the offences alleged are all triable before the Judicial Magistrate First Class and the punishment is less than 7 years so, the Investigating Officer cannot arrest the accused without complying the guidelines of the **Hon'ble Apex Court** as held in **Arnesh Kumar Vs. State of Bihar & Anr.** As contented by the Learned Public Prosecutor, the petitioner had not produced any notice or any intimation received from the



concerned police calling upon him to appear before any Investigating Officer. It is argued on behalf of the petitioner that, brother of M.R. Chaitra is Circle Inspector of Channapatna so, under his pressure petitioner is being called to the police station. There is no complaint, there is no FIR, but in spite of it, he is being harassed by the police. When the petitioner is asking for his money which he is legally due, there is no question of filing a case with false implication. On the other hand, the offence alleged by the petitioner i.e., Section 318 of BNS, whereby the offence under Section 318(2) of BNS is bailable in nature and Section 318(3) is also bailable but it depends upon the circumstance. The offence under Section 120B under BNS is with regard to causing grievous hurt so, there is no any ingredients to attract the offence under Section 120B of BNS. So it may be 120B of IPC which is with regard to criminal conspiracy. But there is nothing to make out the ingredients to attract this offence with whom Chaitra is conspiring. So as of now, as there is no any notice issued to the petitioner by the police and the offences with regard to which petitioner is having apprehension are triable by Judicial Magistrate First Class, whereby the offence under Section 318(2) and (3) of BNS being bailable in nature, Offence under Section 351 of BNS is with regard to criminal intimidation and merely because the brother of M.R.Chaitra is a Circle Inspector in the Channapatna Police Station, the concerned police cannot again and again call the petitioner unless there is any petition filed or complaint lodged against the petitioner herein under the guise of enquiry. Petitioner can proceed to take legal action against the



purchaser against whom he alleges that he is due for the sale consideration. So in the circumstance, this court does not find any reasonable grounds with regard to the apprehension of the petitioner as alleged in his petition. In the circumstance, I hold the above point in **Negative**.

10. **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 under section 482 of BNSS-2023, is hereby dismissed.

(Dictated through Adalath AI, thereafter transcribed by Steno Grade-III, after corrections, printout taken and then pronounced and signed by me in the open Court, on this the **16th day of April, 2026**).

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