

KARN010004762026



**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 10th day of April 2026

Crl.Misc.No.154/2026

Petitioner/
A1 :

Sri. Somashekara,
S/o. Bhramhachari,
Aged about 42 years,
R/at No.56, 11th Cross,
Kumbarahalli,
Hamlet of Tharapanahalli,
Hesaraghatta Main Road,
Bengaluru.
Permanent R/at No.54,
7th Main Road, 2nd Cross,
Kasthuriba Nagara,
Timber Yard Layout,
Haleguddadahalli, Bengaluru.
(By Sri.S.P.N., Advocate)

Vs.

Respondent :

The State
by Tavarekere P.S.,
Bengaluru South District.
(By learned P.P., Ramanagara)

* * * * *



ORDER

The petitioner/accused No.1 had filed this bail petition U/Sec.483 of BNSS, 2023, for grant of bail in connection to Cr.No.360/2025 of Tavarekere Police Station registered for the offence punishable under Sec.309(4) and 140(2) of BNS, 2023.

2. The petitioner by reiterating the contentions in the first information report had contended that the petitioner is not committed any offences as alleged in the crime. The alleged complaint filed by the complainant is created as per her whims and fancy only to harass the petitioner. The entire allegations made by the complainant in the alleged complaint, are all far away from the truth and the same is not at all believable. The petitioner is in judicial custody. The petitioner is not an habitual offender and there is no any criminal cases are pending against him. The alleged offences are traible by the Magistrate Court and the same is not attracted in the present case. The petitioner is innocent, he is law abiding citizen and he has been falsely implicated in the case. The petitioner is the permanent resident of the address shown in the cause title, having movable and immovable properties in the village and there is no chance of absconding or avoiding the trial. Petitioner is ready and willing to



abide by any condition that would be imposed by the Court and co-operate with the course of trial and also ready to furnish surety to ensure his regular appearance before the Court. On the above grounds prayed for his enlargement on bail.

3. The learned Public Prosecutor had filed the objection 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 petitioner so, he is not entitled for release on bail. The petitioner is habitual offender and there are 30 cases registered against him. The offence alleged against the petitioner/accused is punishable with imprisonment for a term which may extending upto 10 years and triable by the JMFC Court. The grounds urged on behalf of the petitioner is only with sole intention to obtaining the bail. If the petitioner is released on bail, there are every chance of he tampering the prosecution witnesses, destroy the evidence and permanently absconding from the process of Court, which may severely affect the progress of the trial. Hence, prays to reject 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;

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 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 petitioner, it clearly shows the respondent police have registered the case against the petitioner for the offence punishable under Sec.309(4) and 140(2) of BNS, 2023 and had taken up for investigation.

8. The allegation against the petitioner is that one Smt.Nanjamma W/o Muddappa, aged about 70 years



resident of Kethohalli village, Tavarekere Hobli, Bangalore South Taluk, had filed the complaint on 05.11.2025 at about 10-30 a.m., alleging that she was the resident of above said address along with her husband and children and on 05.10.2025 at about 8-00 a.m., she go to morning walk at Kethohalli to Dodda Aladamara Road and during that time one person came in car and asked her about the road reach to Dodda Aladamara during that time the said person dragged her hand and made her fallen to the front seat of the Car and taken her to Dodda Aladamara Road, stopped the car near by the layout, situated near Chunchanakuppe and directed her to get down from the Car, when the complainant get down from the Car he snatched the two layer golden Mangalya chain along with Mangalya and left her in the middle of the layout, the said Mangalya chain was made about 10 years back and took away the chain weighing 50 grams worth Rs.2,50,000/-.

9. It is the contention of the petitioner that he had been falsely implicated in the case and it is the created story of the complainant. On the other hand, the Learned Public Prosecutor had contended that the accused had been arrested on 12.11.2025 and his voluntary statement is recorded. Based on his voluntary statement, the Manglya chain which had been



thefted away by the accused had also been recovered. Even the identification parade having held the complainant had also identified the accused. Further, it is contended that the accused is an habitual offender and he is involved in more than 30 cases. The offence alleged against the accused is triable by Judicial Magistrate First Class and it is punishable with rigorous imprisonment which may extend to 10 years and also with fine. So, if he is enlarged on bail there are every chances of he committing the similar crime.

10. Though the offence alleged against the accused is non-bailable in nature, it is neither punishable with death or imprisonment for life. On the other hand, it is triable by the Judicial Magistrate First Class. The very contention of the Learned Public Prosecutor is that the accused is involved in similar other cases. But, the contention of the petitioner is that he had been falsely implicated in the case and usually the police will fix the accused persons in such offences one after the other though there is no any involvement. The accused is said to be the permanent resident of the address shown in the cause title. On the other hand, it is also contended by the petitioner that the investigation having completed the charge sheet is also filed. It is the contention of the petitioner that, the offence alleged against the accused is triable by the Court of



Sessions i.e., by I Addl. District & Sessions Judge, Ramanagara. But, if the charge sheet is perused and whereby the offence under Sec.309(4) and 140(2) of BNS are both triable by the Judicial Magistrate First Class. Hence, taking into consideration the contention of the petitioner as there are no any details furnished by the prosecution with regard to involvement of the accused herein in other several cases. As the petitioner had undertaken to abide by any condition that would be imposed by this Court and also offer surety for his regular appearance. Taking into consideration the duration of the custody of the accused and also charge sheet having filed, as his presence is not required for any custodial interrogation, this Court is of the opinion that if reasonable conditions are imposed, it will meet the objections raised by the Learned Public Prosecutor. In the circumstance, 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 petitioner/ accused No.1 under Section 483 of BNS-2023, is hereby allowed.



The petitioner/accused No.1 is enlarged on bail in connection to Tavarekere Police in S.C.No.21/2026 (Cr.No.360/2025) on he executing personal bail bond for a sum of Rs.1,00,000/- with one surety for the like sum, to the satisfaction of the Court subject to the following;

CONDITIONS

- 1) The petitioner/A1 shall appear before the Court on all hearing dates without fail unless exempted.
- 2) The petitioner/A1 shall not involve in any offences or similar offence pending disposal of this case.
- 3) The petitioner/accused No.1 shall not change the abode without prior permission of the Court.
- 4) The petitioner/accused No.1 shall not threaten or entice the complainant and the prosecution witnesses.
- 5) The petitioner/accused No.1 shall furnish his permanent address proof and inform if there is change in address.

In the event of violation of any of the above conditions the bail granted 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 10th day of April 2026)

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

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