



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

PRESENT

**Sri. S.A.Hidayathulla Shariff, B.A.,LL.M.,
III Addl. Dist. & Sessions Judge, Ramanagara**

Dated this the 8th day of June 2026

Crl.Misc.No.351/2026

Petitioner/: Sri. Vishnu R.,
A1 S/o. Rama,
Aged about 23 years,
R/at #352, Tulsi Thotadada Beedi Cross,
Churnada Beedi, Channapatna Town,
Bengaluru South District.

(By Sri.P.K.V., Advocate)
Vs.

Respondent/ : The State of Karnataka,
Complainant Channapatna East Police Station.
Bengaluru South District.

(By learned Public Prosecutor)

O R D E R

The petitioner/accused No.1 has filed this petition under Sec.482 of B.N.S.S., seeking anticipatory bail in Crime No.62/2025 of Channapatna East Police for the offence punishable under Sections 189(2), 191(2), 115(2), 118(1), 109,



126(2), 352, 351 r/w Sec.190 of Bharatiya Nyaya Sanhita, 2023.

2. In the bail petition, petitioner has contended that, he is innocent of the offences alleged against him and he has been falsely implicated in the present case. No prima-facie case is made out against him for the offences alleged against him. Similarly placed accused No.3 to 6 and 9 were granted bail by this Court in Crl.Misc.No.851/2026 and Crl.Misc.No.18/2026. Since the injured has not sustained and fatal injury, Section 109 of BNS is not applicable to the case on hand. The offences alleged against the petitioner are not punishable with death or imprisonment for life. No specific overt-act is attributed to the petitioner. Petitioner had no intention to commit the murder of the injured. No injuries were inflicted on the vital parts of the body of the injured. The injured is already discharged from the hospital. The respondent police are making hectic efforts to arrest the petitioner. He hails from respectable family deeply rooted in the society. He is having permanent residential address. He is ready to offer surety for his release and ready to abide by any conditions that may be imposed on him in the event of releasing him on bail. On these grounds, petitioner has sought for anticipatory bail.



3. The learned Public Prosecutor has filed objections by resisting the bail petition. In the objections the learned Public Prosecutor has contended that, there are prima-facie materials placed on record against the petitioner for the offence punishable under Sections 189(2), 191(2), 115(2), 118(1), 109, 126(2), 352, 351 r/w Sec.190 of Bharatiya Nyaya Sanhita, 2023, which are heinous, non-bailable and punishable with life imprisonment. The Investigation Officer has completed investigation and filed charge sheet against the accused persons. The petitioner has not co-operated with the investigation and he is shown as absconding accused. NBW was issued against him. Thereafter, he has filed the present bail petition which is not maintainable.

4. In the objection prosecution has further contended that, petitioner is prime accused of the present case. He has not co-operated with the investigation and remain absconding. If the petitioner is released on bail he is not likely to stand trial and likely to threaten, tamper and intimidate the prosecution witness and likely to abscond from jurisdiction of the Court. On these grounds, learned Public Prosecutor has sought for rejection of the bail petition.



5. Heard the learned counsel for the petitioner/accused No.1. The learned counsel in support of his arguments has relied on the Judgment of the Apex Court of the land rendered in;

1. Crl.A.No..../2026 (Arising out of SLP (Criminal) No.15349/2024 between Balmukund Singh Gautam Vs. State of Madhya Pradesh and another. Dated: 13.02.2026.
2. Siddharam Satlingappa Mhetre Vs. State of Maharashtra reported in AIR 2011 SC 312.

6. Heard the learned Public Prosecutor. Perused the materials on record.

7. The points that arise for my consideration are;

- 1) Whether the petitioner/accused No.1 has shown valid grounds to grant anticipatory bail under Section 482 of B.N.S.S. 2023?
- 2) What order?

8. My findings on the above points are as follows;

Point No.1:- In the **Negative**.

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



REASONS

9. **Point No.1:-** A perusal of the materials on record discloses that, on the basis of first information statement lodged by the first informant Sri.Mubharak S/o. Mehaboob, resident of Yarab Nagara, Channapatna. On 14.09.2025 the Channapatna East Police have registered a case against accused No.1 to 10 for the offence punishable under Sections 189(2), 191(2), 115(2), 118(1), 109, 126(2), 352, 351 r/w Sec.190 of Bharatiya Nyaya Sanhita, 2023. Subsequently, the PSI of Channapatna Police, after completion of investigation are filed charge sheet against the accused persons. Present petitioner is shown as accused No.1 in the charge sheet, status of accused No.1 is shown as absconding accused.

10. The case of the prosecution in brief as stated in the charge sheet is that;

On 14.09.2025 at about 8-30 p.m., on the road situated near the building of Sydani BiBi Darga at Channapatna Town, accused No.1 to 10 have formed themselves into unlawful assembly armed with deadly weapons and in prosecution of the common object of the lawful assembly have assaulted CW1 Maksood, CW2 Sharuk, CW3 Imran with stones,



brick and attempted to murder them and intentionally insulted them by abusing them in vulgar words, caused life threat to them and caused injuries to them.

11. A perusal of the materials on record discloses that, there are eyewitnesses of the alleged offences committed by the petitioner/accused No.1. The offences alleged to be committed by the petitioner/accused No.1 are non-bailable and punishable with life imprisonment. During the course of investigation accused has not co-operated with the investigation and he is absconding. Considering the fact that petitioner/accused No.1 has not co-operated with the investigation and he is absconding, the apprehension of the prosecution that if the petitioner/accused No.1 is released on bail he is not likely to face trial and likely to abscond from the jurisdiction of the Court are well founded.

12. In the present case, a perusal of the materials on record discloses that, though the investigating agency of completed investigation and filed charge sheet against the petitioner/accused No.1, he has suppressed the said fact in his bail petition and filed the present bail petition. Only during the course of arguments when the learned Public Prosecutor has furnished the copy of the charge sheet wherein



petitioner/accused No.1 is shown as absconding accused, the counsel for petitioner/accused No.1 has produced the copy of the charge sheet. Since the petitioner/accused No.1 has not approached the Court with clean hands, on this ground itself he is not entitle for anticipatory bail.

13. By considering the nature in seriousness of the offences, the character of evidence, circumstances peculiar to the accused and reasonable possibility of presence of the petitioner/accused No.1 not being secured at the trial, reasonable apprehension of witnesses being tampered with, the larger interest of the public, this Court is of the opinion that, the petitioner/accused No.1 is not entitle for anticipatory bail. With these observations, I answer point No.1 in the Negative.

14. **POINT No.2:-** In view of my findings on point No.1 in the Negative and the reasons assigned thereon, I proceed to pass the following;

ORDER

The bail petition filed by the petitioner/accused No.1 under Sec.482 of B.N.S.S., is hereby dismissed.

(Dictated to the Stenographer Grade-I, transcribed by her, corrected, signed and then pronounced by me in the open Court, on this the 8th day of June 2026)

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(S.A.Hidayathulla Shariff)
III Addl. Dist. & Sessions Judge,
Ramanagara.