

KARN300000922026



**IN THE COURT OF THE II ADDITIONAL DISTRICT AND
SESSIONS JUDGE, BENGALURU SOUTH DISTRICT, SIT
AT KANAKAPURA.**

Dated this the 23rd day of March 2026

Present

SRI. KUMAR.H.N., B.A.L., LL.B.,
II Addl. District & Sessions Judge,
Bengaluru South District, sit at Kanakapura.

CRL.MISC.No.5054/2026

Petitioners :	1	Ravikumar.D.B S/o Bheemaiah, Aged about 43 years, Adhar No.2185 1361 5135 Ph.9972834141 (Accused No.1)
	2	Nagarathna W/o Bheemaiah, Aged about 62 years, Adhar No.8484 8057 3668 Ph.9980671163, Both are R/at Dombaradoddi Village, Kolliganahalli Post, Harohalli Hobli and Taluk,

		Bangalore South District. (Accused No.2)
	3	Bhavya.B W/o Sathish.K.K Atged about 39 years, R/at Kolliganahalli Villae and Post, Harohalli Hobli and Taluk, Bangalore South District. Adhar No.6412 3093 2814 Ph.962044707. (Accused No.3) (By Sri. Shivananda.V.E, Advocate)
	V/s	
Respondent :		The State of Karnataka, By Kanakpaura Town Police, Kanakapura taluk, Bengaluru South District. Rep. by Public Prosecutor, District court, Kanakapura. (By the Public Prosecutor)

Orders on Application filed U/s 482 of BNSS-2023

1. The petitioners who are arraigned as Accused No.1 to 3 have filed this petition U/sec.482 of BNSS-2023, seeking anticipatory bail in Cr.No.29/2026 of Respondent Kanakapura Town Police Station for the offences punishable U/sec.115(2), 351(2), 74, 352, 54 of BNS-2023.

2. Briefly stated the petition averments are to the following effect:

a) On the basis of the complaint given by Smt. Navyashree, the respondent Kanakapura Town Police have registered the case in Cr.No.29/2026 against the petitioners for the offence punishable U/sec.115(2), 351(2), 74, 352, 54 of BNS-2023.

b) In the petition averred that, on 07.03.2026 at about 5.45 pm., the informant appeared before the respondent police and complains that, the petitioner No.1 had instituted the petition for annulment of marriage, in M.C.No.38/2023 before the Senior Civil Judge and JMFC at Kanakapura. Further it is also reveals that, after attending court proceedings the informant waiting for the bus to reach her village near the vicinity of office of the Sub-registrar, Kanakapura. At that time the petitioner No.1 came there in a car bearing Reg.No.KA-42-M-5562 and conveyed the message to board the car, for having conversation in respect of children issue. On the guise of the information provided by the petitioner No.1 the

informant board the car and later the petitioner No.1 had assaulted the informant and over her body and cause bodily injury and later the petitioner No.1 had also dragged the informant by holding her tuft and outrage the modesty of the informant publicly and abused in a unparliamentary words and also put a life threat. Further it is also reveals that, the petitioner No.2 and 3 have instigated the petitioner No.1, in this regard hence the complaint.

c) The petitioners pleads that, they are quite innocent and unconcerned to the alleged incident and petitioners have not at all committed any offences what so ever, the respondent deliberately implicated the name of the petitioners. At the instance of the ill will of the inimical ill disposed people.

d) The petitioners are permanent resident address shown in the petition and coming from highly respectable family and never committed any offence as alleged by the prosecution. There is no any material to show the prima-facie case against the petitioners.

e) Further petitioners also submits that the petitioners are ready to abide all conditions that may be imposed by this court. In the event of granting the anticipatory bail. Further also undertake that ready and willing to assist the investigation officer if so required and prays for grant of anticipatory bail.

3. The learned public prosecutor filed objection along with IO report dated 13.03.2026 to following effect:

a) The petition is not at all maintainable and grounds urged at the seeking anticipatory bail are not tenable.

b) The Learned Public Prosecutor reiterated the facts of the case found in the complaint and FIR.

c) It is also specific contentions of the learned public prosecutor that, there may be every chance of indulging similar illegal activities. In the event of granting anticipatory bail, there is every like hood of petitioner threatening and tampering the prosecution witnesses and every chance of flee from the investigation and clutches

of the law and prays for the rejection of the petition.

4. Heard Arguments from both sides and perused the FIR, complaint and other materials placed on record.

5. Now the points that arise for my consideration as follows;

1.	Do the petitioners/accused No.1 to 3 have made out exceptional circumstances for grant of anticipatory bail in connection with Cr.No.29/2026 of Kanakapura Town police?
2.	What Order?

6. My answer to the above points are as under:

Point No.1 :	In the Affirmative.
Point No.2 :	As per final order for the following;

REASONS

7. **POINT No.1:-** Thus the petitioners are seeking anticipatory bail contending that a false case have been foisted against them.

8. On the other hand the prosecution has resisted bail petition on the ground that the charges leveled against the petitioners are very grave and their custodial presence is required for the investigation.

9. The material available on record it borne that, on 07.03.2026 at about 5.45 pm., the informant appeared before the respondent police and complains that, the petitioner No.1 had instituted the petition for annulment of marriage, in M.C.No.38/2023 before the Senior Civil Judge and JMFC at Kanakapura. Further it is also reveals that, after attending court proceedings the informant waiting for the bus to reach her village near the vicinity of office of the Sub-registrar, Kanakapura. At that time the petitioner No.1 came there in a car bearing Reg.No.KA-42-M-5562 and conveyed the message to board the car, for having conversation in respect of children issue. On the guise of the information provided by the petitioner No.1 the informant board the car and later the petitioner No.1 had assaulted the informant and over her body and cause bodily injury and later the petitioner No.1 had also dragged the informant by holding her tuft and outrage the modesty of the informant publicly and abused in a unparliamentary words and also put a life threat. Further it is also reveals that, the petitioner No.2 and 3 have instigated the petitioner No.1. Upon first information provided by the informant the respondent police have registered the FIR against the petitioners in Cr.No.29/2026 for the offence punishable U/sec.115(2), 351(2), 74, 352, 54 of BNS-2023. Under these circumstances the petitioners under reasonable apprehension of

arrest from the respondent police filed the present petition for grant of anticipatory bail in connection with aforesaid case.

10. During the course of the counsel for the petitioners vehemently argued that, the complainant has filed the false and vexatious complaint against the petitioners. As such there is no any incident took place as alleged by the complainant in the complaint. Further the petitioners are the bread earner and care taker of their family and also law abiding citizens. The petitioners coming from the respectable family and having no antecedents of any indulging any criminal activities and further the petitioners are ready to abide any conditions that may be imposed by the court while granting the anticipatory bail. Under these circumstances the counsel for the petitioners prays for anticipatory bail to the petitioner by exercising exceptional circumstances as laid down under section 482 of BNS-2023.

11. In contra the learned Public Prosecutor vehemently argued that the allegation leveled against the petitioners are very grave and non bailable in nature. The custodial presence is very much required for the purpose of investigation. The statement of the witnesses is yet to be recorded and investigation is under progress by posing afore said reason prays for reject the bail application.

12. It appears from due to matrimonial dispute between the petitioners and complainant has led to the complainant filing the complaint. As held by the Hon'ble Supreme court in the case of **Arnesh Kumar Vs. State of Bihar & Others (AIR 2014 SC 2756)** especially, when their custodial presence is not required for the purpose of investigation.

13. From considering the material available on record there is a prima-facie case made out by the petitioners to exercise the exceptional circumstances to grant the relief prayed in the application U/sec.482 of BNSS-2023. Considering the facts and circumstances of the case this court is incline to the grant the anticipatory bail to petitioners.

14. Taking into consideration these aspects, without expressing any merits of the case this court hold that petitioners are entitled for anticipatory bail and accordingly. Point No.(i) is answered in the **Affirmative**.

15. Point No.(ii): in view of my findings on point No.(i), this court proceed to pass the following;

ORDER

The bail petition filed by the petitioners/accused No.1 to 3 U/sec.482 of BNSS-2023, is hereby allowed.

In the event of his arrest, the petitioners shall be released on bail in Cr.No.29/2026 of Respondent Kanakapura Town Police with the following conditions;

1. The petitioners/accused No.1 to 3 shall execute personal bond for Rs.50,000/- with one surety for like sum to the satisfaction of the court.

2. The petitioners/accused No.1 to 3 shall not threaten or tamper with the prosecution witness nor shall they abscond.

3. The petitioners/accused No.1 to 3 shall co-operate with the investigation.

4. The petitioners/accused No.1 to 3 shall not involve in any similar criminal activities. **(the condition No.4 is sine-qua-non of this order, in case the petitioner found in any criminal case, the police have liberty to move an application for cancellation bail in accordance with law).**

5. The petitioners/accused No.1 to 3 shall intimate change of their address, if any, either to the police concerned or court as the case may be.

6. The petitioners/accused No.1 to 3 shall mark his attendance before the respondent Kanakapura Town Police, on every alternative Sunday commencing from 29.03.2026 to 17.05.2026 between 10.00 a.m. to 12.00 p.m for a period of 08 weeks or till filing of the final report, whichever is earlier.

(Typed to my dictation on computer by the Typist and print out taken by him, then corrected and pronounced by me in the Open court on this the 23rd day of March 2026)

(KUMAR.H.N)

II Addl. District & Sessions Judge,
Bengaluru South District, sit at Kanakapura.

Order pronounced in open court
vide separate order

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3. The petitioners/accused No.1 to 3 shall cooperate with the investigation.

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