

KATK010031182026



**IN THE COURT OF II ADDITIONAL DISTRICT AND SESSIONS
JUDGE, TUMAKURU**

Dated this the 12th day of June 2026.

PRESENT: Smt. N Narasamma., B.A.L., LL.B.,
II Addl. District & Sessions Judge,
Tumakuru.

Crl. Mis.No.845/2026

Petitioners: 1. Swamy
S/o Basavaraju,
Aged 38 Years,
R/at Beside Nalanda
High School,
Bheemasandra,
Tumakuru City.

2. Suprith
S/o Anand
A/a 23 Years,
R/at Near SMS Motars,
Thotada Mane,
Bellavi Road,
Bheemasandra
Tumakuru City.
(By Sri. BKP., Advocate).

- versus -

Respondent: State by Tilak park Police Station.

(By learned Public Prosecutor).

ORDER ON BAIL PETITION U/S 483 OF BNSS ACT 2023

The petitioners have presented this petition U/s 483 of BNSS 2023 for grant of regular bail in Crime No.63/2026 for the offences punishable under Sections 189(2), 189(4), 191(2), 352, 351(2), 324(4), 109(1), 54, 115(2), R/w 190 of Bharathiya Nyaya Sanhita (B.N.S.) 2023 and u/s 27 of Indian Arms Act 1959.

2. In the bail petition, the petitioners have contended that, they are innocents and not committed any offences as alleged by the complaint and the alleged offences are not publishable with death or life imprisonment and the petitioners hails from respectable family and having deep root in the society and they undertake to furnish surety to the satisfaction of this court and they will abide by any conditions imposed by

the court. And he is in judicial custody since from the date of arrest. On all the above said grounds, prayed for allowing the petition U/Sec.483 of B.N.S.S. 2023.

3. On the other hand, the learned Public Prosecutor has filed objections to the bail petition along with the report. In the objection she has stated gist of the complaint averments and further contended that, I.O. took up the investigation recorded the voluntary statement of accused and arrested the accused. At this stage if the petitioners are released on bail, there are chances of petitioners flee from justice, there are chances of petitioners hampering and tampering the prosecution witnesses and cause hindrance in the investigation of the case. There are also chances of committing similar type of offence. Hence, prayed for dismissal of the bail petition filed by the petitioners.

4. This court has heard arguments on both sides and perused records carefully.

5. The points that arise for my consideration for the decision of this petition are as under:

1. Whether the accused/petitioners have made out valid grounds for grant of bail u/s 483 of BNS-2023 by the respondent police?

2. What order?

6. My answer to above points is as under:

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

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

REASONS

7. **Point No.1:-** I have carefully gone through contents of bail petition, objections, complaint allegations, records and other report.

8. On perusal of the complaint averments it reveals that on 01.06.2026 at 9.15 p.m. the complainant appeared before the police and gave the written complaint stating that he owned lodge namely CSK

comforts located near Bheemasandra. Below his lodge there is a hotel namely Olombus Family restaurant and the abbreviation of CSK is, Chendur Sheik Mohammed, as it is the complainant's village and father's name. That on 31.05.2026 RCB and G.T. and the RCB team won the match and the RCB fans around 11.30 p.m. came near the lodge and demanded to change the name of the lodge to RCB and made cockfight. And on the road, they saw the police jeep coming and left the place and around mid night at 1.30 a.m. on 01.06.2026 a group came and addressed the complainant and his children stating that, even though they told to change the name, but the complainant has not changed and abused them in filthy language and gave life threats stating that, if you don't remove the name CSK and change it to RCB., they will beat the complainant to death. And the said persons have also brought deadly weapons and gave life threats to the complainant and others.

9. But the petitioners have denied the allegations made against them. The learned public prosecutor has objected to grant bail to the petitioners. And the investigating officer has also submitted report that if the petitioners are released on bail, then it will pass wrong message to the society. And admittedly the alleged offences mentioned in the complaint are neither punishable with death nor imprisonment for life and are triable by the court of Sessions. And the petitioners have created nuisance near the lodge belongs to the complainant that too in the mid-night by misusing the CSK team of cricket match and it amounts to social offence and which caused nuisance to the public during midnight. The petitioners being aged about 38 years and 23 years if they are granted bail, then definitely they will again go to the complainant's lodge and create problem to the complainant. Moreover, the petitioners at the time of incident have carried deadly weapons with them and gave life threats to the complainant. The counsel for petitioners argued that, there is no casualty

during the fight between the complainant and petitioners. It shows the petitioners admitted their appearance before the complainant's lodge on the alleged date, time and place. In this case, the investigating officer has just started the investigation and arrested the petitioners and case is in crime stage. So at this stage, if the accused are granted bail, then definitely it will pass wrong message to the society of cricket lovers. Hence the petitioners have not made out the ground to allow the bail petition. Accordingly, I answer the point No.1 in the **Negative**.

10. **Point No.2**: In view of my findings on point No.1, I proceed to pass the following:

O R D E R

Criminal Misc. petition filed by the petitioners under Section 483 of BNSS 2023 is hereby rejected.

(Dictated to the Stenographer directly on the computer, typed copy corrected and then pronounced by me in the open court on this the 12th day of June 2026).

(Smt. N. Narasamma)
II Addl. District & Sessions
Judge, Tumakuru.