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

Dated this the 16th day of June, 2026

Present : **Smt. N.Narasamma., B.A.L., LLB.,**
II Addl. District and Sessions Judge,
Tumakuru.

Crl.Mis.No.878/2026

Petitioners:

- 1.Divya Prasad D.G
S/o Ganganna,
Aged 37 years,
- 2.Rathnamma
W/o Ganganna
A/a 72 years,
- 3.Ganganna
S/o late Chikkaugraiah
A/a 78 years,
- 4.Pushpa
W/o Dayananda
A/a 45 years,
All are R/at
Doddanaravangala village,
Bellavi Hobli,
Tumakuru Taluk and District

(Accused No.1 to 4)

(By Sri. S. Nagaraj Advocate).

- versus -

Respondent: State by Women Police, Tumakuru.

(By learned Public Prosecutor).

ORDER ON PETITION FILED U/sec.482 of BNSS

The petitioners are seeking bail in anticipation of arrest U/sec.482 of BNSS in Cr.No.82/2026 for the offences punishable u/sec.115(2), 351(2), 352 r/w 3(5) of BNS & Sec.3 & 4 of D.P.Act registered on the file of respondent police .

2. Petitioners in the petition stated that they are innocents and not committed the alleged offences and they have been falsely implicated in this case and the recitals of complaint is concocted and the petitioners have not demanded any dowry at the time of marriage and also after the marriage. The petitioners are law abiding citizens and they are ready to abide by the

conditions imposed by the court and they are ready to offer substantial surety to the satisfaction of the court. There is an apprehension by the police that they may be arrested at any time and if the petitioners are arrested then their reputation will be spoiled. Accordingly they prayed to allow the petition.

3. The learned public prosecutor filed objections by contending that the bail petition is not maintainable and if the petitioners are granted bail, then there are chances of petitioners threatening the prosecution witnesses and there is every possibility of petitioners tampering with the prosecution witnesses, jumping on bail, destroy the evidence and try to commit similar offences. There are no reasonable grounds made out to enlarge them on bail. Hence learned public prosecutor prayed to reject the bail petition.

4. Heard the learned public prosecutor and the learned counsel for the petitioners. Perused the records available.

5. The points that arise for my consideration are :

1. Whether the petitioners are entitled for bail U/sec.482 of BNSS.?

2. What order?

6. My findings to the above points are as follows:

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

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

REASONS

7. **Point No.1:-** It is the case of prosecution that, the complainant gave the complaint stating that on 06.02.2020 she was married with 1st petitioner at KTSV Sangha Kalayan Mantap, Rajajinagar, Bengaluru by spending Rs.10,00,000/- by the mother of complainant and the petitioners demanded and received 20 gram

neck chain, 9 grams ring, cash of Rs.25,000/- for dress. After complainant's marriage she was shifted to petitioner No.1's residence at Bengaluru during corona period the complainant and petitioner No.3 shifted to the house of petitioner No.4 i.e., military quarters, diary circle, Bengaluru. And after 10 days petitioner No.2 accompanied them. Meanwhile the petitioner No.2 started torturing the complainant and abused her stating that the complainant is not fair and petitioner No.1 is like a king. And all the petitioners abused the complainant in filthy language and petitioner No.1 is a drunkard and neglected the complainant and she was mentally tortured by other petitioners.

8. But in the present case the petitioners have denied the allegations made by the complainant. The petitioner No.2 is the mother and petitioner No.3 is the father and petitioner No.4 is sister of petitioner No.1. Whether the petitioners have really committed the alleged offences or not is the matter to be adjudicated at the time of full fledged trial.

9. At this stage the court has to see whether there are any chances of petitioners absconding from the case, if bail is granted. But, admittedly the petitioners have given undertaking before the court that they are permanent residents of Tumakuru Taluk, as per the address given in the cause title. And the alleged offences are triable by Magistrate Court and neither punishable with death nor imprisonment for life. Petitioner No.2 is aged about 72 years and petitioner No.3 is aged about 78 years. Hence, by taking into consideration of the facts and circumstances and the undertaking given by the petitioners, I am of the considered opinion that, the discretion can be exercised to grant bail in anticipation of arrest. Hence, I answer point No.1 in the **Affirmative**.

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

ORDER

The petition filed by the petitioners under
Section 482 of BNSS is allowed.

The petitioners shall be released on anticipatory bail in the event of their arrest by the respondent police in Cr.No.82/2026 for the offences punishable u/sec.115(2), 351(2), 352 r/w 3(5) of BNS & Sec.3 & 4 of D.P.Act on their executing personal bond for Rs.1,00,000/- each with one surety for the like sum to the satisfaction of the respondent police, with the following:

: Conditions :

- 1.Petitioners shall surrender themselves before the Investigating Officer within 10 days from the date of receipt of certified copy of this order.
- 2.Petitioners shall not indulge in hampering the investigation or tampering with the prosecution witnesses.
- 3.Petitioners shall co-operate with the I.O. to complete the investigation and they shall appear before the I.O. as and when called for investigation.

4. Petitioners shall not leave the jurisdiction of the court without prior permission till the charge-sheet is filed or for a period of 3 months whichever is earlier.

5. Petitioner No.1 shall mark his attendance once in a week i.e., on every Sunday between 10.00 a.m. and 5.00 p.m. before the I.O. for a period of 2 months or till the charge-sheet is filed whichever is earlier

If in case, the petitioners violate any of the conditions as stated above, the prosecution is at liberty to file application for seeking cancellation of bail.

(Dictated to the stenographer directly on computer, typed copy corrected and then pronounced by me in the open Court on this the 16th day of June of 2026).

(N.Narasamma)

II Addl., District and Sessions
Judge, Tumakuru.