

The petitioner/accused has filed this petition under Section 483 of B.N.S.S. by seeking regular bail orders relating to Cr.No.93/2026 in his favour in the interest of justice and equity.



2. The learned P.P have filed objections stating that the accused has committed grievous offence and he is required for trial and requested the court to reject the petition, in the interest of justice and equity.

3. Heard both sides on bail petition.

4. On the basis of above pleadings, the following points that arise for my consideration are:

1. **Whether the petitioner/Accused has made out grounds to grant regular bail orders in his favour ?**

2. **What order?**

5. My answers to the above points are as follows:

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

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

REASONS

6. **Point No.1:-** The respondent police have registered Cr.No.93/2026 against the accused for the



alleged offences punishable under Section 309(4), 309(5), 319(2) of B.N.S. The said offence is not punishable with death or imprisonment for life but triable by the Court of Sessions. The petitioner/accused is in J.C since from the date of arrest.

7. It is the case of the prosecution that, on 12.03.2026 at about 7:45 a.m., when the complainant was proceeding along with Devaraj in a motorcycle and halted to have breakfast, at that time, some persons stating them as police came and asked them to show the documents. Hence the said Devaraj has gave Rs.200/- and further checked the phonepe where they did not found any money, hence they have snatched 32 grams golden chain worth Rs.3,00,000/- from the complainant and also gave life threat. Hence this complaint.

8. Then a case came to be registered for the aforesaid offences and submitted FIR to the jurisdictional



Magistrate. The learned counsel for the petitioner has argued that the petitioner is innocent of the offences alleged against him and he has been falsely implicated in the instant case. He has argued that prima-facie there are no reasonable grounds for believing that the petitioner has committed the offences alleged against him and the allegations made in the complaint do not attract. Further, he has argued that this petitioner is the sole bread earner to his family and hails from respectable family and no prima-facie material to connect the petitioner with the alleged incident. It is further submitted that the investigation is completed and the presence of this petitioner is not required for any purpose.

9. It is the further case of the prosecution that after registration of case, the accused was arrested and remanded to judicial custody. The investigation is



completed and charge sheet is filed. That 18 cases in different police station were registered against the petitioner and if this petitioner is released on bail, then he will abscond from the jurisdiction of this court which will hamper the investigation. Moreover, the petitioner is the permanent resident of Mandya District and if bail is granted, he could not be secured for trial. The counsel for petitioner submitted that the accused is innocent and he is in judicial custody from the date of arrest. The accused has no bad antecedents and he will abide by any conditions for his release and prays to release him on bail.

10. After hearing both side it is true that no doubt, the prosecution papers prima-facie indicates the commission of the alleged offences. It is also true that the investigation is completed and charge sheet is filed and the petitioner is the permanent resident of Mandya District. As



rightly contended by the learned P.P., if the petitioner is released on bail, then he will abscond from the jurisdiction of the court which will hamper the trial as nearly 18 cases are pending against him and if he is released on bail then definitely he will flee away from the jurisdiction of the court which will hamper those cases also. Hence, at this stage, I found no ground to release the petitioner on bail even though charge sheet is filed. Further the bail petition filed by the petitioner was earlier got rejected and if he is aggrieved by the said order then he is at liberty to prefer the appeal before the appellate court. But instead of preferring appeal again the petitioner has filed this petition which is against the provisions of law. Accordingly, I answered the point No.1 in negative.

11. Point No.2 :- In view of my above finding I proceed to pass the following :-



ORDER

The bail petition filed by the petitioner/accused U/s 483 of B.N.S.S. is dismissed.

(Dictated to the Stenographer Grade-I directly on computer, typed by her, printout taken by her, corrected, signed and then pronounced on this the 16th day of July 2026.)

(SHILPA K.S.)

VI Addl. Dist. & Sessions Judge,
TUMAKURU.