



IN THE COURT OF III ADDL. DISTRICT & SESSIONS JUDGE
AT TUMAKURU

PRESENT :

Nagireddy.A, BA.L., LL.B, LL.M.,
III Addl. Dist. & Sessions Judge,
Tumakuru.

Criminal Mis.No.1035/2026

Dated this the 22nd day of July 2026

Petitioner	Venkatesh @ Loose Venki, S/o Lakshmirangappa, Aged about 30 years, R/at Gopagondanahalli Village, Kasaba Hobli, Madhugiri Taluk. (Accused No.2)
	(By Sri.R.V.D, Advocate)

V/s

Respondents:	1. State by Madhugiri police station, 2. Nagamani W/o Seenappa, Aged about 52 years, R/at Mekebande Madhugiri Town.
	(R.1 by learned Public Prosecutor (R2 in person)



ORDERS

The petitioner has filed this petition under Section 439 of the Code of Criminal Procedure (Cr.P.C.), seeking regular bail in Crime No. 222/2017 (Special Case No. 119/2018) registered by Respondent No.1 police for offences punishable under Secs.302, 201 read with section.34 of IPC and Sec.3(2)(va) of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act 1989 (for short herein after referred as **SC & ST (POA) Act**).

2. It is the case of the petitioner that he is innocent of the alleged offences and he has been falsely implicated in the instant case. The petitioner has already been enlarged on bail and he was regularly appearing before the court. But, on the last date of hearing he could not appear before the court. Hence, this court has issued nonailable warrant against him and he was arrested and produced before this court on 10.07.2026 and since then he has been in judicial custody. According to him, his absence was bonafide and not intentional one. He has undertaken to abide by



the conditions that may be imposed on him in the event of granting regular bail. Accordingly, he prays for the grant of regular bail.

3. The respondent No.1/prosecution has filed objections, pleading the facts of the case and stating that if the petitioner were to be enlarged on bail, he likely to abscond and threaten the prosecution witnesses directly or indirectly. Further, it stated that earlier petitioner was enlarged on regular bail. However, he has failed to comply with the conditions imposed in the bail order and remained absent before the court. Hence, petitioner is not entitled for regular bail. Therefore, the prosecution prays for rejecting the bail petition.

4. Respondent No.2 has filed objections reiterating the facts of the case and stating that the petitioner is rowdy sheeter and if he were to be enlarged on bail he is likely to threaten her. Hence, she prays for rejecting the bail petition.



5. Having heard, the following point that arise for my determination:

“Whether the petitioner is entitled to be enlarged on regular bail U/sec.439 of Cr.P.C.,?”

6. My answer to the above point is in the **Affirmative**, for the following;

REASONS

7. The prosecution's case is that the deceased, Mahantesh, who belonged to a scheduled caste, was driving an autorickshaw for his livelihood. On December 16, 2017, at 9:00 p.m., he had a quarrel with CW.10, demanding that he provide alcohol at Raghavendra Wines. CW.10 informed accused No.4 about this incident. Subsequently, accused No.4, along with accused Nos. 5 and 6, arrived at the scene and confronted the deceased, Mahantesh. However, Mahantesh also argued with accused No.4 and stabbed him below the left elbow with a beer bottle, causing a bleeding injury. In retaliation, accused No.4 brought a piece of steel sheet from a parked autorickshaw and



inflicted a cut injury on the right arm of the deceased, Mahantesh. Thereafter, accused No.4 brought accused Nos.1 to 3 to the spot. All the accused persons, with the intention of killing Mahantesh, gathered near the land of CW.1, located next to the bypass road in Madhugiri, at 11:00 p.m. that same day. Accused No.1 struck Mahantesh on the head with a rod, causing him to fall down. The accused then covered him. Accused No.2 hit Mahantesh with a rod two or three times, accused No.3 struck Mahantesh on the head with a long object two or three times, and accused No.1 again hit Mahantesh on the head with a rod. Accused Nos.4 to 6 trampled Mahantesh with their legs. To conceal the evidence, they dragged Mahantesh's dead body and dumped it into a well located on CW.1's land. They also took Mahantesh's autorickshaw and dumped it into a well near Kataganahatti Road.

8. Admittedly, the charge sheet in this case has already been filed and the trial has commenced, appearing to be at the stage of conclusion. Additionally, the petitioner was previously enlarged



on regular bail. However, on June 19, 2026, he remained absent from court without filing an application seeking exemption. Consequently, this court issued a non-bailable warrant to secure the presence of accused No.2. On July 10, 2026, the petitioner was arrested by the concerned police and produced before this court. This court took him into custody and remanded him to judicial custody.

9. Thus, it appears that the petitioner was absent from court only for a single hearing date and had been regularly appearing prior to that. It is stated that he could not appear on June 19, 2026, due to a bona fide reason. Considering that the petitioner was absent only for one day, that he had previously been enlarged on regular bail, and that the trial is at the conclusion stage, I am of the view that the petitioner can be granted regular bail again, subject to stringent conditions. Accordingly, the above point is held in the **Affirmative**. In the result, I proceed to pass the following:

**ORDER**

The petition filed by the petitioner Under Section 439 of Cr.P.C seeking regular bail is hereby allowed.

The petitioner is ordered to be released on regular bail in crime No.222/2017 (Spl.C.No.119/2018) of respondent No.1 police on his executing a personal bond for a sum of Rs.1,00,000/- with one surety for the like sum with the following conditions :

1. He shall not tamper or threaten the prosecution witnesses in any manner.
2. He shall appear before this court regularly during the trial.
3. He shall not indulge in any criminal activity or commission of any crime after being released on bail.

If any conditions are violated by the petitioner, the prosecution is at liberty to seek cancellation of the bail.

(Dictated to the Stenographer, after transcription, typed, printout taken by her, corrected, signed and then pronounced on this the 22nd day of July 2026)

(Nagireddy.A)
III Addl. Dist. & Sessions Judge,
Tumakuru.