



IN THE COURT OF THE PRINCIPAL DISTRICT &
SESSIONS JUDGE, UDUPI AT UDUPI.

PRESENT

Sri K.S. Gangannavar, B.Com., LLB., (Spl.)
Principal District & Sessions Judge, Udupi

Dated this 2nd day of June, 2026

Crl. Misc. No.230/2026

- Petitioners
1. Vasumathi,
S/o. Suresh Devadiga,
Aged About 42 years,
R/at Thangi Mane Hithlu,
Navunda, Kundapura Taluk,
Udupi District.
 2. Geetha
S/o. Ananda Devadiga
Aged about 49 years,
R/at H.No.2-219, Thangi Mane Hithlu,
Navunda, Kundapura Taluk,
Udupi District.

(By Sri Subramanyan S., Advocate)

/Vs/

Respondent : The State through
S.H.O., Udupi Women Police Station.

(By Learned Public Prosecutor, Udupi)

ORDER ON PETITION U/s 482 of B.N.S.S.

Accused Nos.2 and 5 facing allegations of the
offences punishable under Sections 82, 85, 109, 115(2),
303(2), 331, 351(2), 352 and 3(5) of BNS 2023 and
Sections 3 & 4 of Dowry Prohibition Act in Crime



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No.30/2026 on of Udupi Women Police Station, have filed this petition.

2. According to complainant- Jayalaxmi, her marriage with accused No.1 Jagadish Babu solemnized on 29.03.2013. Accused No.1 was given 15 pavans of gold and Rs.3 Lakhs on that occasion and marriage expenses were borne by complainant's father. Complainant has two children. While commencing his business at Sharjha, Dubai, accused No.1 demanded Rs.5 Lakhs in the form of dowry. He was having affairs with petitioner No.1 Vasumathi. On being questioned by the complainant, he raised quarrel with her. Father in law and brother in law of complainant supported accused No.1 in this aspect and asked complainant to stay at Udupi. On 04.04.2026 accused No.1 threatened to dispose of all his properties to bring complainant to street and threatened brother-in-law (husband of elder sister) with dire consequences if any case is filed. Petitioner No.1 threatened complainant to stay away from accused No.1. accused No.1 went to parental



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house of complainant and abused complainant's mother. On 11.05.2026 when complainant was not present, accused No.1 came to house with children and stolen away necessary documents, samsung mobile, passport, ear rings and finger ring worth Rs.1 Lakhs. After some time, when complainant returned home, tried to strangle her using shawl causing bleeding from her mouth. Accused No.1 kicked her, abused in filthy words and gave life threat. He threw Marriage Certificate for having married petitioner No.1 Vasumathi, snatched mangalasutra of complainant. Petitioner No.2 (Accused No.5) has supported this marriage with petitioner No.1. Hence, sought for action.

3. In support of the relief, the petitioners have contended that they are innocent, law abiding citizens having deep roots in the society. Petitioner No.1 is a single parent for 6 year old girl child. She has to take care of her parents as well. She is the only earning member of the family. Petitioner No.2 is the elder sister of petitioner No.1. She is also a single parent and has



responsibility to look after unmarried daughter and school going children. She has to take care of her old bedridden in-laws. Marriage certificate attached with the complaint is false and fabricated. Role of petitioner No.2 is nowhere forthcoming to infer her support for the marriage between accused No.1 and petitioner No.1. Complainant has deserted accused No.1 long back. Her children are grown up under the care of accused No.1 itself. Police have issued notice for appearance and they are likely to arrest the petitioners at any time. Petitioners have no criminal antecedents. They are ready to abide by the conditions for their release on bail and to furnish surety. They are permanent residents of given address and are not likely to abscond. Hence, sought to allow the petition.

4. Learned Public Prosecutor filed objections with the I.O. Report. In his detailed objections he has contended that investigation in progress. Grant of bail is likely to cause hurdle in the investigation. Petitioners may not cooperate in the investigation and trial.



Petitioner may tamper with the prosecution witnesses and destroy evidence. They are probably having passport and may leave the country. Hence, prays for rejecting the petition.

5. Heard both sides. Perused the materials.
6. Point that arise for consideration is:

“Whether the petitioners are entitled for anticipatory bail?”
7. Above point is answered in the affirmative

for the following:

REASONS

8. The allegations in the complaint disclose a matrimonial dispute between the complainant and accused No.1, who is the husband of the complainant. The gist of the allegations pertains to demand of dowry, marital discord, alleged extra-marital relationship of accused No.1 with petitioner No.1/accused No.2, and the subsequent acts of harassment said to have been committed against the complainant.



9. As apparent from complaint averments, principal allegations are specifically attributed to accused No.1. Insofar as petitioner No.1/accused No.2 is concerned, the allegation is that she was having a relationship with accused No.1 and had allegedly threatened the complainant to stay away from him. The allegation against petitioner No.2/accused No.5 is even more limited in nature, namely that she supported the alleged marriage between accused No.1 and petitioner No.1. Even the genuineness of Marriage Certificate is questioned.

10. The records do not make out any necessity of custodial interrogation of the petitioners. No criminal antecedents are reported against them. The petitioners are women and are stated to be permanent residents of the addresses furnished in the cause title. Petitioner No.1 is stated to be a single parent having responsibility to maintain her minor child and aged parents, while petitioner No.2 is also stated to be having family responsibilities.



11. The offences alleged are not punishable with death or imprisonment for life exclusively. The investigation is still in progress and the presence of the petitioners for the purpose of investigation can be secured by directing them to appear before the Investigating Officer and cooperate with the investigation.

12. Accordingly, above point is answered in the affirmative. Hence, the following:

ORDER

The petition U/Section.482 of BNSS is hereby allowed.

In the event of arrest of the petitioners in Crime No.30/2026 of Udupi Women Police Station, they shall be released on bail on the following conditions:

- (1) Petitioners shall execute bail bond for the value of Rs.1,00,000/- each with one surety for like sum.



- (2) Petitioners shall cooperate with the Investigating Officer in the investigation and shall attend the trial regularly.
- (3) Neither petitioners nor anybody on their behalf shall tamper or induce, try to tamper or try to induce the prosecution witnesses or to withhold from disclosing such facts of the offence either to the court or to the Investigating Officer.
- (4) Petitioners shall not involve in any criminal activities during the pendency of this case.
- (5) Petitioners shall appear within 15 days of this order before the Investigating Officer, if not, this order stands lapsed.

(Dictated to the Stenographer Grade-I, transcript revised/corrected, then pronounced in the open court on 2nd day of June, 2026)

(K.S. Gangannavar)
Principal District & Sessions Judge,
Udupi.