



**IN THE COURT OF THE IV ADDITIONAL DISTRICT AND
SESSIONS JUDGE TUMAKURU, SITTING AT MADHUGIRI**

DATED THIS THE 10TH DAY OF JUNE 2026

-: PRESENT:-

**SMT. SUMANGALA S BASAVANNOUR, B.COM., L.L.M.,
IV ADDL. DISTRICT AND SESSIONS JUDGE, TUMAKURU-MADHUGIRI**

Crl.Misc.No.5200/2026

Petitioner/ : 1. Govindaraju,
S/o Late Hanumanna,
Aged about 49 years,

2. Prathapa,
S/o S.Ramakrishnappa,
Aged about 35 years,

3. Pandurangaiah,
S/o P.Hanumaiah,
Aged about 49 years,

All are R/at Maddakkanahalli Village,
Gowdagere Hobli, Sira Taluk.

[By – H.V.M- Advocate]

V/S

Respondent : The State by Madhugiri Police Station.

[By Pubic Prosecutor]

**ORDER ON BAIL PETITION FILED BY THE
PETITIONERS/ACCUSED No.1 TO 3 UNDER SECTION 482**

**OF BHARATHIYA NAGARIK SURAKSHA SANHITA, 2023**

The present petition filed by the petitioners under section 482 of *Bharathiya Nagarik Suraksha Sanhita, 2023*, seeking anticipatory bail in crime No.84/2026 registered by the respondent Madhugiri Police Station for the offenses punishable under section 115(2), 118(1), 351(2), 352 R/w Section 3(5) of *Bharathiya Nyaya Sanhita, 2023*. The crime registered against the petitioners on the basis of first information given by Hanumantharay.T as per first information dated 26.05.2026.

2. As per FIR and first information the allegations against the petitioners is that, on 26.05.2026 the first informant brought his wife Padma from Sira to Madhugiri to appear before the Court of Assistant Registrar of Co-operative Societies, Madhugiri. The first informant left his wife at the Court and at about 1-00 p.m he was standing alone downstairs outside the office, at that time the petitioners residents of Maddakkanahalli, Sira Taluk were arrived in a Innova Car who were disqualified from the directorship of the Kallu Kutiga Co-operative Society. They felt that the first informant is responsible for their disqualification of their membership, picked up a quarrel, abused first informant in filthy language, the petitioner No.1 picked up



a stone and thrown on the first informant, however he escaped. The petitioners assaulted the first informant with hands, club and stone on all over the body. At that time, Venkataramana who present there pacified the quarrel. While going the petitioners caused life threat to the first informant and went in Innova Car. Then first informant's wife and Venkataramanappa took him to Madhugiri Government Hospital and fter taking treatment he lodged the complaint. On the basis of the first information crime registered against the petitioners by the respondent police and proceeded with the investigation.

3. The present petition filed by the petitioners in the above said crime for anticipatory bail. They contended that the petitioners have not at all committed any error, as such there was a quarrel taken place in the village earlier about Co-operative elections, since the first informant was in rivalry with petitioners and he filed the false complaint against the petitioners. On the basis of the false complaint filed by the respondent police have registered the case against the petitioners. Since the first informant on hearing the words of the persons who are enimically disposed towards the petitioner and in the political field, the first informant has falsely implicated the petitioners into a false complaint. Moreover there is a rivalry between the



petitioners and other persons in the village in the elections of co-operative societies, since it is the aim of the first informant that if at all any complaint is registered against the petitioners, they cannot be contest the up-coming elections. In this behalf to have wrongful against the petitioners the first informant has filed this false and frivolous complaint to minimize the popularity of the petitioners in the village. That the Respondent police have filed the false case against the petitioner, as such according to complainant on: 26.05.2026 the alleged Galata took place at about 1-00 PM, the place of incident is Madhugiri town, near Doom light circle, which is about one kilo meter distance between incident place and Police Station, and distance of 1/2 kilo meter from Government Hospital and Police Station, since according to complainant the alleged galata took place at about 1-00 PM but the complaint is filed about 7-00 PM in the evening. Thus, there is a delay in filing the complaint, the first informant has not explained the delay caused in filing the complaint. This indicate the delay in filing the alleged complaint and there is a delay in filing the complaint. The delay establishes that there is no incident took place among the first informant and accused persons, even though the first informant has filed the false complaint against the petitioners. That the petitioners has



not at all committed any offence as alleged in the FIR, on the ground of delay itself the petitioner be released on bail. The first informant has not explained the delay in filing the alleged complaint. That the complainant shown one name Venkataravana who was present at the time of incident who is the native of Maddakkanahalli village. The first informant has not explained that at what purpose the said person was present before the ARCS office at Madhugiri. The complaint is silent about this fact. Since the first informant and accused persons are native of Maddakkanahalli village and also the said witness Venkataravana is also of same village. It seems that the said the first informant and said Venkataravana have colluded together in filing this false complaint. The very complaint is false as could be seen from the contents of the complaint that wrongful conflict is not at all attracted. There is no Medical certificate produced nor having assaulted by the accused to constitute under the alleged sections. Except the complaint, that there is no materials placed by the prosecution with the alleged incident, as that there is no direct evidence to connect the petitioners to the offence and the petitioners are falsely implicated in the said crime. The offence alleged are not punishable with the life imprisonment or penalty of death. Some one of the offence is non-bailable, but the other



offences are all bailable in nature. That the petitioners who are law abiding citizens came to know that the complainant police on the guise of the complaint likely to arrest the petitioners in the above case registered against him and he has not at all committed any alleged offence in the complaint. That the petitioners if enlarged on bail by this Court will abide by any conditions imposed against them and will appear before the Investigation officer or before any authority and make themselves available for investigation till the final report is filed and also unlawfully that he will not leave the jurisdiction of the Court during the period of investigation. They undertakes to abide by the conditions imposed by the Court and will not flee away from the jurisdiction of this Court. With the above grounds they prays to allow the petition.

4. The Learned Public Prosecutor opposed bail petition by filing statement of objections. It is contended by the public prosecutor that investigation of the matter is not completed. The petitioners have committed offence punishable under Section 118(1) of BNS which is non-bailable in nature. The petitioners may commit similar offence if they released on bail. The Investigating Officer has to collect the proof. The petitioners are influential persons in the society so they may tamper the prosecution witnesses if they released on bail.



Hence the petitioners are not entitled to bail at this stage. If the petitioners are released on bail there is every chance to flee away from the jurisdiction of the Court. With above grounds pray to reject the bail petition.

5. I have heard the parties and perused the materials on record. The points that arise for my consideration is:-

1] Whether petitioners/accused No.1 to 3 have made grounds to grant anticipatory bail under section 482 of Bharathiya Nagarik Suraksha Sanhita, 2023, in crime No.84/2026 registered by the respondent Madhugiri Police Station for the offenses punishable under section 115(2), 118(1), 351(2), 352 R/w Section 3(5) of Bharathiya Nyaya Sanhita, 2023, ?

2] What order, ?

6. My answer to the above said point which as under.

1. Point No.1 : In the Affirmative;
2. Point No.2 : As per final order for the following:-

-.REASONS:-

7. **POINT NO.1:-** In the case on hand, the allegations is against the petitioners is that on 26.05.2026 the first informant brought his wife Padma from Sira to Madhugiri to



appear before the Court of Assistant Registrar of Co-operative Societies, Madhugiri. The first informant left his wife at the Court and at about 1-00 p.m he was standing alone downstairs outside the office, at that time the petitioners residents of Maddakkanahalli, Sira Taluk were arrived in a Innova Car who were disqualified from the directorship of the Kallu Kutiga Co-operative Society. They felt that the first informant is responsible for their disqualification of their membership, picked up a quarrel, abused first informant in filthy language, the petitioner No.1 picked up a stone and thrown on the first informant, however he escaped. The petitioners assaulted the first informant with hands, club and stone on all over the body.

8. There is specific allegations against the present petitioners. The first informant is the eye witness to the incident. Hence the custodial interrogation of the petitioners is not necessary. The case against the petitioners is to be proved after trial.

9. Further there is no criminal antecedents against the present petitioners. The petitioners are permanent of resident of Madhugiri Taluk. If the petitioners are enlarged on bail with stringent conditions they would not flee away from the clutches of law and interest of justice would be



served.

10. In the case on hand, the alleged offences are not punishable with death or imprisonment for life. Hence it is not a fit case to reject the petition filed by the petitioners. Considering all these aspects, I feel the petitioners are entitled to anticipatory bail and this petition is deserves to allow. Accordingly, I answer point No.1 in the Affirmative.

11. **POINT NO.2:-** In view of my finding on point No.1, I proceed to pass the following:-

:-ORDER:-

The bail petition in Crl.Misc.No.5200/2026 filed by the petitioners/accused No.1 to 3 under section 482 of *Bharathiya Nagarik Suraksha Sanhita, 2023* is herewith allowed. The petitioners/accused No.1 to 3 are granted anticipatory bail in crime No.84/2026 registered by the respondent Madhugiri Police Station for the offenses punishable under section 115(2), 118(1), 351(2), 352 R/w Section 3(5) of *Bharathiya Nyaya Sanhita, 2023*. In the event of arrest of the petitioners/accused No.1 to 3 in the above said crime the arresting authority is



directed to release them on bail on the following conditions.

1. The petitioners/accused No.1 to 3 shall execute personal bond for sum of Rs.2,00,000/- each with two sureties for like sum.
2. The petitioners/accused No.1 to 3 shall appear before the Jurisdictional Magistrate within 15 days from the date of this order for the purpose of execution of bail bond and sureties.
3. The petitioners/accused No.1 to 3 shall make themselves availability for interrogation by the Investigating Officer as and when required.
4. The petitioners/accused No.1 to 3 shall not leave jurisdiction of this Court without prior permission.
5. The petitioners/accused No.1 to 3 and their sureties shall furnish permanent and present address proofs, both residential and official if any.
6. The petitioners/accused No.1 to 3 and their sureties to intimate the concerned court as well as the concerned police regarding any changes in address with proof, in the form of an affidavit.
7. The petitioners/accused No.1 to 3 shall not indulge in any criminal activities.
8. The petitioners/accused No.1 to 3 shall



not threaten prosecution witnesses and tamper prosecution witnesses.

9. The petitioners/accused No.1 to 3 shall appear before the IO on every second Sunday of every month for a period of 3 months or till filing final report, whichever is earlier.

10. If any of the above conditions are violated by the petitioners/accused No.1 to 3 the bail granted now shall stand canceled without further order from the court.

*(Dictated to the stenographer, same is corrected, signed and then pronounced by me in the open court, on this the **10th day of June 2026**)*

sd/-

(SUMANGALA S BASAVANNOUR)
IV Additional District & Sessions Judge,
Tumakuru, Sitting at Madhugiri