



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

DATED THIS THE 20TH 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.5210/2026

Petitioner/ : 1. Anjaiah,
S/o Late Hanumantharayappa,
Aged about 45 years,

2. Latha,
W/o Anjaiah,
Aged about 36 years,

Both are R/of Yarrapalya Village,
Gundlahalli Post, Kasaba Hobli,
Pavagada Taluk, Tumakuru District.

[By -S.R.A- Advocate]

V/S

Respondent : The State by Pavagada Police Station.

[By Pubic Prosecutor]

**ORDER ON BAIL PETITION FILED BY THE PETITIONERS/
ACCUSED No.1 AND 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.153/2026 registered by the respondent Pavagada Police Station for the offenses punishable under Section 74, 115(2), 118(1), 351(2) and 190 of Bharathiya Nyaya Sanhita, 2023. The crime registered against the petitioner on the basis of the first information given by first informant Hanumakka as per first information dated 31.05.2026.

2. As per FIR and first information the allegations against the petitioners is that, on 28.05.2026 at about 8-30 a.m the first informant's brother Thimmarayappa while ploughing the land in Sy.No.46/5 measuring 0-05 guntas and Sy.No.47 measuring 0-10 guntas, at that time, Anjaiah, Ramanjineya, Latha, Venkatalakshmamma, Guru and Chithra came by forming an unlawful assembly and obstructed the tractor and stopped the work. When the first informant questioned the same suddenly all of them abused in filthy language and caused a fatal assault on first informant's brother, Karthika, Pavan, Pavithra assaulted Thimmarayappa with club and stone. Anjaiah and Ramanji by putting hands on Pavithra and Manjula pulled their wale and tried to outrage their modesty and also caused threat to



their life. Guru hold Pavithra's hand and assaulted her with club. Latha, Venkatalakshamma and Chithra assaulted Thimmarayappa with club and stone and caused bodily pain. There is life threat from these persons. When Thimmakka came to rescue them abused her in filthy language. Anjaiah and Ramanjaneya were dragged the women by holding tuft, kicked with slipper legs on their neck, chest and stomach by causing bodily pain to them. On the basis of first information crime registered against the petitioners by the respondent police and proceeded with investigation.

3. The petitioners filed present petition before the Court seeking anticipatory bail. The contention of the petitioners is that, they are innocent of the offences alleged and they have been falsely implicated in to crime and they have not committed the offences alleged. The petitioners are innocent and law abiding citizens and they have came from respectable family. The petitioners have not committed any offence as alleged by the respondent police even as could be seen the prosecution papers no allegations made against the petitioners. No over act is alleged against the petitioners in the complainant, therefore the petitioners are also not required for any custodial interrogation. Even entire



averments made in the complaint are taken at its face value, the same do not constitute the essential ingredients of the offence alleged. The recital of FLR clearly goes to show that there is a civil dispute between the complainant and petitioners. As per say of complainant the incident was happened on 28.05.2028 but the complaint was lodged on 31.05.2026, after lapse of three days intentionally and purposefully the complainant had lodged a false complaint against petitioners without bonafide reasons, it shows that the Complainant has revenge and grudge towards the petitioners, hence on the prima facie of Prosecution papers shows this is a false and frivolous complaint against petitioners, hence they are entitle for bail from the hands of this court. There is no specific reasons or grounds to lodge the complaint for a delay of three days, it clearly goes to shows that the complainant has lodged a false complaint against the petitioners. The Commission of the offence is not attract to the case in hand. The recita of FIR mentioned by the respondent police is not attract to the gravity of offence. The section 74 of BNS is also not attract to the case in hand, no ingredient followed under section 74 of BNS. There is counter complaint in FIR No.152/2026 in which the present petitioner has lodged a complaint against the



present complaint and others, thereafter the present complainant has lodged this false complaint, it shows that the Complainant has revenge and grudge towards the petitioners, Further the prosecution story looks a doubtful as there is no direct evidence against the petitioners which are not confirmative in law. They are innocent as not guilty of alleged offence and the petitioners are falsely implicated in the case, except the allegations, there is no material placed by the respondent police with the alleged incident as there is no direct evidence to connect the petitioners to the alleged offence. The petitioners having reputation in the society and the Respondent police ave intended to arrest the petitioners and they have apprehension from the respondent police, if the respondent police will arrest the petitioners they have st their prestige and dignity in the society. The Commission of the offence is not attract to the case in hand, if at all the incident was happened why the complainant was keep silence three days, this regard no explanation was forthcoming in his complaint it will also reflect the complainant has falsely lodged a complaint against petitioners. The gravity of offence concerned all the offences triable by any magistrate, the offences alleged by the respondent-police is not punishable with life. Though the



petitioners have apprehension by the respondent police the petitioners have got movables and immovables at their native and also they have got old aged parents, family and children. They undertakes to abide by the conditions imposed by the Court and will not flee away from the jurisdiction of this Court. With above grounds he prays to grant bail.

4. The Learned Public Prosecutor opposed bail petition by filing statement of objections along with I.O report. He contended that the investigation of the matter is not completed. The offence alleged against the petitioners are punishable under section 74 of BNS is heinous one and non bailable in nature. The petitioners may commit similar offence if they are released on bail. The petitioners will not cooperate with prosecution case if they are released on bail. If the petitioners are released on bail they may tamper the prosecution witnesses. The Investigating Officer has to collect proof. The petitioners are influential persons in the society if they are released on bail they may abscond from the jurisdiction of this Court. There are no grounds to enlarge them on bail. Hence, the petitioner is not entitled to bail and prays to reject the petition.



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

1] Whether the petitioner/accused No.1 and 3 made grounds to grant anticipatory bail under section 482 of Bharathiya Nagarik Suraksha Sanhita, 2023, in crime No.153/2026 registered by the respondent Pavagada Police Station for the offenses punishable under Section 74, 115(2), 118(1), 351(2) and 190 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 against the petitioners is that, on 28.05.2026 at about 8-30 a.m the first informant's brother Thimmarayappa while ploughing the land in Sy.No.46/5 measuring 0-05 guntas and Sy.No.47 measuring 0-10 guntas, at that time, Anjaiah, Ramanjineya, Latha, Venkatalakshmamma, Guru and



Chithra came by forming an unlawful assembly and obstructed the tractor and stopped the work. When the first informant questioned the same suddenly all of them abused in filthy language and caused a fatal assault on first informant's brother, Karthika, Pavan, Pavithra assaulted Thimmarayappa with club and stone. Anjaiah and Ramanji by putting hands on Pavithra and Manjula pulled their wale and tried to outrage their modesty and also caused threat to their life. Guru hold Pavithra's hand and assaulted her with club. Latha, Venkatalakshamma and Chithra assaulted Thimmarayappa with club and stone and caused bodily pain. There is life threat from these persons. When Thimmakka came to rescue them abused her in filthy language. Anjaiah and Ramanjaneya were dragged the women by holding tuft, kicked with slipper legs on their neck, chest and stomach by causing bodily pain to them.

8. In the case on hand, there is a case and counter case between petitioners and first informant. The dispute between the parties is in civil nature. There is specific allegations against the present petitioners hence custodial interrogation of the petitioners are not necessary. The case against the petitioners are to be proved after trial.



9. Further there is no criminal antecedents against the present petitioners. The petitioners are permanent of resident of Pavagada 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 offences alleged against the petitioners 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.5210/2026 filed by the petitioners/accused No.1 and 3 under section 482 of *Bharathiya Nagarik Suraksha Sanhita, 2023* is herewith allowed. The petitioners/accused No.1 and 3 is granted



anticipatory bail in crime No.153/2026 registered by the respondent Pavagada Police Station for the offenses punishable under Section 74, 115(2), 118(1), 351(2) and 190 of Bharathiya Nyaya Sanhita, 2023. In the event of arrest of the petitioners/accused No.1 and 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 and 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 and 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 and 3 shall make themselves availability for interrogation by the Investigating Officer as and when required.
4. The petitioners/accused No.1 and 3 shall not leave the jurisdiction of this Court without prior permission.
5. The petitioners/accused No.1 and 3 and their sureties shall furnish permanent and present address proofs, both residential and



official if any.

6. The petitioners/accused No.1 and 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 and 3 shall not indulge in any criminal activities.

8. The petitioners/accused No.1 and 3 shall not threaten prosecution witnesses and tamper prosecution witnesses.

9. The petitioners/accused No.1 and 3 shall appear before the IO on every third 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 and 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 **20th day of June, 2026**)*

sd/-

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