



**IN THE COURT OF V ADDITIONAL DISTRICT AND SESSIONS
JUDGE, TUMKUR (SITTING AT TIPTUR).**

Dated this 9th day of June, 2026

Present:

**SRI. HEMANTH KUMAR. C.R. B.A.L., L.L.B.,
V Addl. District and Sessions Judge
Tumkur (Sitting at Tiptur)**

CrI. Misc. 10215/2026

- Petitioner/s : 1. Mudlagiri alias Mudlaiah**
S/o Thimmaiah
Aged about 53 years,
R/o : Anekere Village,
Kasaba Hobli,
Turuvekere Taluk.
- 2. Srinivasa**
S/o Mudlagiri alias Mudlaiah
Aged about 30 years,
R/o : Anekere Village,
Kasaba Hobli,
Turuvekere Taluk.
- 3. Gangadhar**
S/o Lakshmaiah
Aged about 39 years,
R/o : Anekere Village,
Kasaba Hobli,
Turuvekere Taluk.
- 4. Parvathamma**
W/o Lakshmaiah
Aged about 60 years,
R/o : Anekere Village,
Kasaba Hobli,
Turuvekere Taluk.



5. Nethravathi alias Mahadevamma

W/o Gangadhar
Aged about 36 years,
R/o : Anekere Village,
Kasaba Hobli,
Turuvekere Taluk.

6. Lavanya

W/o Srinivasa
Aged about 21 years,
R/o : Anekere Village,
Kasaba Hobli,
Turuvekere Taluk.

(By; Sri.G.N.K., Advocate)

V/s

Respondent : State by
Turuvekere Police Station.

(By Public Prosecutor)

Order on bail petition filed U/sec 482 of Bharathiya Nagarika
Suraksha Sanhita 2023

This petition is filed by the petitioners seeking anticipatory bail U/Sec.482 of BNSS, 2023 in Crime No. 151/2026 of Turuvekere Police station for the offences punishable U/Sec.329(3), 324(4), 352 R/w Section 190 of Bharathiya Nyaya Sanhita (BNS), 2023.

2) The brief facts of the case :

On 22.05.2026 at about 4.30 p.m., the complainant Shivashankaraiah S/o late. Thimmaiah has lodged the complaint alleging that on 13.05.2026 at about 9.30 a.m., Mudlagiri S/o Thimmaiah, Srinivasa S/o Mudlagiri, Gangadhara S/o Lakshmaiah,



Parvathamma W/o Lakshmaiah, Nethravathi W/o Gangadhara and Lavanya W/o Srinivasa, all residents of Anekere Village, allegedly trespassed into the complainant's coconut plantation and plucked coconuts therefrom. Thereafter, all the accused persons allegedly carried away the coconuts together. When the complainant questioned them as to why they were plucking coconuts from his plantation, accused Mudlagiri and Srinivasa allegedly came towards him armed with sickle and a stick and attempted to assault him. The other accused persons, allegedly abused him in filthy language. Being frightened, the complainant informed the villagers, who intervened and attempted to resolve the dispute. However, despite such intervention, the accused persons continued to harass, intimidate and dominate him. Therefore, the complainant request to take legal action against the accused persons and to provide protection to him and his property from further interference by them. Owing to the said circumstances, the complainant lodged the present complaint belatedly. The police on receipt of the said statement have registered the case in Crime No.151/2026 for the offences punishable U/Sec.329(3), 324(4), 352 R/w Section 190 of Bharathiya Nyaya Sanhita (BNS), 2023.

3) The petitioners being accused persons aggrieved by the same have preferred this bail petition on the following among other grounds:

The petitioners submit that the petitioners are innocent, law-abiding citizens and have been falsely implicated in the present case due to family disputes and civil litigation between the parties and



the petitioner have not committed any of the alleged offences. The petitioners further submit that the petitioners apprehend arrest and harassment at the hands of the respondent police and their detention would cause irreparable hardship to them and their family members, who are dependent on their earnings. The petitioners further submit that the petitioners are permanent residents of the address mentioned in the cause title, have no criminal antecedents and there is no possibility of their absconding or evading the process of law. The petitioners further submit that the offences alleged are neither punishable with death nor imprisonment for life and triable by the learned Magistrate and custodial interrogation of the petitioners is not necessary and the petitioners undertake, shall not tamper with the prosecution evidence or influence any witnesses. The petitioners also submit that the petitioners are ready and willing to abide by the terms and condition imposed by this court and to co-operate with the investigation and also ready to furnish sureties. Hence, prayed to allow the petition.

4) After service of notice, the learned Public Prosecutor has appeared and filed objection contending that the offences alleged against the petitioners are grievous in nature and the complaint averments prima-facie shows that the petitioners are involved in the alleged offences. The learned Public Prosecutor has further contended that the offence alleged against the petitioners U/Sec. 324(4) of BNS, 2023 is punishable with imprisonment of either description for a term which may extend to two years, or with fine,



or with both. The learned Public Prosecutor has further contended that investigation is still in progress and the investigation officer has to collect evidence and also to record statement of the witnesses. As such, at this stage, if the bail petition of the accused persons is allowed there is a chances of threatening prosecution witnesses, destroy evidence, abscond and hamper the trial. Hence, prays to reject the bail petition.

5) Heard arguments and perused the records. The points that arise for my consideration are:

1) Whether the petitioners have made out sufficient grounds to allow the petition filed U/Sec. 482 of Bharathiya Nagarika Suraksha Sanhita, 2023 ?

2) What order?

My findings on the above points are as under:

1) Point No.1 : In the Affirmative

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

REASONS

6) **POINT No.1:** The petitioners counsel has addressed the arguments contending that the petitioners are innocent, law-abiding citizens and have been falsely implicated in the present case due to



family disputes and civil litigation between the parties and the petitioner have not committed any of the alleged offences. The petitioners counsel further contended that the petitioners apprehend arrest and harassment at the hands of the respondent police and their detention would cause irreparable hardship to them and their family members, who are dependent on their earnings. The petitioners counsel further contended that the petitioners are permanent residents of the address mentioned in the cause title, have no criminal antecedents and there is no possibility of their absconding or evading the process of law. The petitioners counsel further contended that the offences alleged are neither punishable with death nor imprisonment for life and triable by the learned Magistrate and custodial interrogation of the petitioners is not necessary and the petitioners undertake, shall not tamper with the prosecution evidence or influence any witnesses. The petitioners counsel contended that the petitioners are ready and willing to abide by the terms and condition imposed by this court and to co-operate with the investigation and also ready to furnish sureties. Hence, prayed to allow the petition.

7) The learned Public Prosecutor has addressed the arguments contending that the offences alleged against the petitioners are grievous in nature and the complaint averments prima-facie shows that the petitioners are involved in the alleged offences. The learned Public Prosecutor has further contended that the offence alleged against the petitioners U/Sec. 324(4) of BNS, 2023 is punishable with imprisonment of either description for a term which may extend



to two years, or with fine, or with both. The learned Public Prosecutor has further contended that investigation is still in progress and the investigation officer has to collect evidence and also to record statement of the witnesses. As such, at this stage, if the bail petition of the accused persons is allowed there is a chances of threatening prosecution witnesses, destroy evidence, abscond and hamper the trial. Hence, prays to reject the bail petition.

8) On perusal of the records, it is noticed that the case of the prosecution is that on 13.05.2026 at about 9.30 a.m., Mudlagiri S/o Thimmaiah, Srinivasa S/o Mudlagiri, Gangadhara S/o Lakshmaiah, Parvathamma W/o Lakshmaiah, Nethravathi W/o Gangadhara and Lavanya W/o Srinivasa, all residents of Anekere Village, allegedly trespassed into the complainant's coconut plantation and plucked coconuts therefrom. Thereafter, all the accused persons allegedly carried away the coconuts together. When the complainant questioned them as to why they were plucking coconuts from his plantation, accused Mudlagiri and Srinivasa allegedly came towards him armed with sickle and a stick and attempted to assault him. The other accused persons, allegedly abused him in filthy language. Being frightened, the complainant informed the villagers, who intervened and attempted to resolve the dispute. However, despite such intervention, the accused persons continued to harass, intimidate and dominate him. Therefore, the complainant request to take legal action against the accused persons and to provide protection to him and his property from further interference by



them. Owing to the said circumstances, the complainant lodged the present complaint belatedly.

9) On perusal of the records, it is noticed that the police on receipt of the said complaint have registered the case in Crime No.151/2026 for the offences punishable U/Sec.329(3), 324(4), 352 R/w Section 190 of Bharathiya Nyaya Sanhita (BNS), 2023. The petitioners have contended that they are ready and willing to abide by the terms and conditions imposed by this Court and also co-operate with the investigation. On perusal of the records, it is noticed that the offences alleged against the petitioners though are grievous in nature and are not punishable with imprisonment for life or death sentence. In the present case, the investigation is still pending, at this stage, it cannot be said that the petitioners are involved in the alleged offences. The apprehension of the prosecution is that if the bail petition of the accused persons is allowed, there is every chances of petitioners threatening the prosecution witnesses, destroy evidence, abscond and hamper the trial. The guilt of the petitioners has to be proved during the course of trial as the case is still under the stage of investigation and the petitioners having contended that they are ready and willing to abide by the terms and conditions and also co-operate with the investigation. The said apprehension of the prosecution can be satisfied by imposing stringent conditions. Considering all these facts, I am of the opinion that the petitioners can be enlarged on bail by imposing certain



conditions, which would meet the apprehension of the prosecution. Accordingly, I answer the point No.1 in **Affirmative**.

10) **POINT No.2:** For the reasons stated above, I proceed to pass the following:

ORDER

The petition filed by the petitioners U/Sec.482 of BNSS, 2023 is hereby allowed.

The respondent – Turuvekere Police is directed to release the petitioners on bail in the event of their arrest in Crime No.151/2026 for the offences punishable U/Sec.329(3), 324(4), 352 R/w Section 190 of Bharathiya Nyaya Sanhita (BNS), 2023 on obtaining self bond for Rs.50,000/-each with one surety for the like-sum subject to the following;

Conditions:

- 1) The petitioners shall attend the concerned police in between 10.00 A.M., to 5.00 P.M., on 15th of every month and mark their attendance till filing of the charge sheet and cooperate for investigation.
- 2) The petitioners shall not hamper or tamper with the prosecution witnesses or evidence in any manner.
- 3) The petitioners shall not commit or involve in similar offences in future.



- 4) The petitioners shall produce address proof document and not violate the conditions.

(Dictated to the Stenographer, transcribed by her, script thereof revised, corrected, signed and then pronounced by me in the open Court on this the 9th day of June, 2026)

Sd/-

(Hemanth Kumar C.R.)

V Addl. District & Sessions Judge
Tumkur (Sitting at Tiptur)