



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

Dated this 17th 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)**

Crl. Misc.No. 10217/2026

Petitioner/s : Anusuya K.R.
W/o Somashekar,
Aged about 43 years,
R/o : Near Divyaprabha School,
Maruthi Nagar, Jogihalli,
Chikkanayakanahalli Town,
Tumkur District.

(By; Sri.H.S.B., Advocate)

V/s

Respondent : State by
Chikkanayakanahalli Police Station.

(By Public Prosecutor)

**Order on bail petition filed U/sec 483 of Bharathiya Nagarika
Suraksha Sanhita 2023**

This petition is filed by the petitioner/accused No.2 seeking regular bail U/Sec.483 of BNSS, 2023 in Crime No.35/2026 of Chikkanayakanahalli Police station for the offence punishable U/Sec. 103(1), 238 R/w Section 3(5) of Bharathiya Nyaya Sanhita (BNS), 2023.



2) The brief facts of the case :

On 19.02.2026 at about 4.00 PM, the complainant Shreenivasa S/o Ramachandraiah has lodged the complaint alleging that the complainant has been engaged in cable television work at Chikkanayakanahalli Town since the year 1996 and has remained unmarried. About 25 years ago, while carrying out cable work at the residence of Jayalakshamma K.R., W/o late. Srinivasa, residing at Divya Prabhashale, Maruthinagar, Jogihalli, Chikkanayakanahalli Town, he became acquainted with her. Their acquaintance gradually developed into friendship and love. Since Jayalakshamma's husband had passed away, the complainant began living with her. Owing to the affection she showed him, he did not marry anyone else. As Jayalakshamma was employed in the Education Department as a Government Servant, they mutually decided not to marry, believing that marriage might affect her social status and instead lived together in a live-in-relationship. The complainant further stated that Jayalakshamma's late husband, Srinivasa, had been a teacher. After his death, she secured employment in the Education Department on compassionate grounds as a Second Division Assistant. The couple had no children and continued to live together without marriage. Jayalakshamma hailed from Kantalagere village, Chikkanayakanahalli Taluk. Jayalakshamma had two siblings, namely Ravish and Anusuya and all three were married. Anusuya had two children, namely Channakeshava alias Chandu, aged about 24 years and Yashoda, aged about 17 years.



Anusuya's husband, Somashekar, was residing in Bengaluru and had separated from her due to personal reasons. Thereafter, about two years prior to the incident, Anusuya, along with her children, came to reside in the house where Jayalakshamma and the complainant had been living together. After Anusuya and her family moved into the house, the complainant shifted to his parents' residence at Mahalakshmi Layout but continued to look after Jayalakshamma on a daily basis. Subsequently, the complainant and Jayalakshamma decided to establish a separate residence at Turuvekere and informed Anusuya and Channakeshava that they could continue residing in the existing house. However, Anusuya and Channakeshava objected Jayalakshamma moving to Turuvekere, which led to disputes and strained relations.

3) The complainant further stated that on 18.02.2026, Jayalakshamma went to her workplace at the BEO Office, Turuvekere, as usual and returned home at about 6.30 PM. Thereafter, the complainant and Jayalakshamma attended Tataiah Urs and returned home at about 8.30 PM, had dinner and while the complainant was preparing to leave for his house, Jayalakshamma informed Anusuya and Channakeshava about their plan to perform a house warming ceremony at their new residence in Turuvekere the following day. Upon hearing this, Anusuya and Channakeshava became agitated and questioned who would take care of them if Jayalakshamma move away. They further stated that Channakeshava had been treated as an adopted son and that



Anusuya's income from Chalukya Hospital was insufficient for their livelihood, a heated argument ensued. During this time, Yashoda was studying in a separate room with the door closed. When the quarrel intensified, the complainant attempted to intervene, but Anusuya and Channakeshava blamed him and told him not to visit the house again. Despite his efforts to pacify them, they refused to listen. Jayalakshamma then advised the complainant to return home. As he was leaving, Anusuya and Channakeshava allegedly told him that there would no housewarming ceremony at Turuvekere and that their life together would end that very day. The complainant stated that he felt frightened by these remarks but nevertheless returned home.

4) The complainant further stated that on 19.02.2026 at about 8.00 AM, one Suresh of Yagachikatte telephoned the complainant and informed him that Jayalakshamma had passed away. Shocked by the news, the complainant immediately went to the house and observed injuries near Jayalakshamma's nose and lips. When he questioned Anusuya and Channakeshava regarding the circumstances of her death, they allegedly replied that she had died after he had left the previous night and that they intended to take her body to Kantalagere Village for burial. The complainant stated that they did not provide satisfactory answers to his questions and appeared to be making hurried arrangements for the funeral. This aroused suspicion in his mind. He informed his friends and others and thereafter approached the police station. According to him, the



injuries found on Jayalakshmamma's nose and lips led him to suspect that she may have been suffocated to death. The complainant further alleged that Anusuya and Channakeshava had a motive to eliminate Jayalakshmamma, as they feared losing financial benefits and support if she shifted to Turuvekere. He suspected that, during the night of 18.02.2026, Anusuya and her son Channakeshava alias Chandu had jointly caused the death of Jayalakshmamma by suffocating her. He also alleged that they were attempting to portray her death as being due to health complications and were hastily proceeding with funeral arrangements. The complainant therefore requested that the body of Jayalakshmamma be brought back from Kantalagere village and that the true cause of her death be investigated. He further stated that, due to the intervention of his friends and others, funeral was not conducted and the body had instead kept in the mortuary of the Government Hospital, Chikkanayakanahalli. After gathering the necessary information and ensuring that the body had been brought back for examination. Therefore, the complainant requested to take legal action against the accused persons. As such alleging the said facts, the complainant has lodged the present complaint and the police on receipt of the said complaint have registered the case in Crime No.35/2026 for the offences punishable U/Sec. 103(1), 238 R/w Section 3(5) of Bharathiya Nyaya Sanhita (BNS), 2023. The police having investigated the case and after investigation, they have filed charge sheet for the said offences and case has been registered in CC



No.400/2026 before Prl. Civil Judge and JMFC.,
Chikkanayakanahalli.

5) The petitioner being accused No.2 aggrieved by the same has preferred this bail petition U/Sec. 483 of BNSS, 2023 on the following among other grounds:

The petitioner submits that the petitioner is innocent and has been falsely implicated in the case and has not committed any offence and has a valid and tenable defence. The petitioner further submits that the complaint is based solely on suspicion and the complainant is neither an eyewitness nor has he produced any direct evidence connecting the petitioner with the alleged offence. The petitioner further submits that there was an unexplained delay in lodging the complaint, despite the police station being situated near the place of occurrence, which creates serious doubt regarding the prosecution case and has further submits that the deceased was the petitioner's own sister and there was no previous enmity, ill-will, motive, or dispute between them and no complaint was ever lodged by the deceased against the petitioner during her lifetime. The petitioner further submits that the allegations regarding financial gain, adoption of the petitioner's son, compassionate appointment, or motive to eliminate the deceased are baseless and unsupported by any material evidence. The petitioner further submits that the complainant has merely expressed suspicion regarding the death of the deceased and has not specifically attributed any overt act to the petitioner and the ingredients of Section 103(1) and 238 of BNS, are



not attracted and the post-mortem report has not conclusively established the cause of death, as the final opinion was reserved pending receipt of the Chemical Analysis Report. The petitioner further submits that the investigation has been completed, the charge sheet has been filed, and the prosecution witnesses cited therein are not eyewitnesses and no material has been placed on record to establish the petitioner's involvement in the alleged offences and the petitioner has been made a scapegoat based on mere suspicion. The petitioner further submits that the petitioner has been in judicial custody for more than 3 ½ month, is employed at Chalukya Hospital, and continued detention would adversely affect her livelihood and future prospects and the petitioner is a respectable person, has no criminal antecedents, is a permanent resident with deep roots in society and there is no likelihood of her absconding or tampering with evidence. The petitioner has also further submits that the petitioner is ready and willing to abide by the terms and condition that may be imposed by this court and to co-operate with the trial and also is ready and willing to offer substantial surety to the satisfaction of this court. Hence, prays to allow the bail petition.

6) After service of notice, the learned Public Prosecutor has appeared and filed objection contending that the offence alleged against the petitioner U/Sec.103 R/w Section 3(5) of BNS, 2023 is grievous in nature and same is punishable with imprisonment for life or death sentence. The learned Public Prosecutor has contended



that the complaint averments prima-facie shows that the petitioner is involved in the alleged offence. The learned Public Prosecutor has also contended that the investigation is completed and charge sheet has been filed in CC No.400/2026. As such, at this stage, if the bail petition of the accused No.2 is allowed there is a chances of threatening prosecution witnesses, destroy evidence, abscond and hamper the trial. Hence, prays to reject the bail petition.

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

1) Whether the petitioner has made out sufficient grounds to allow the petition filed U/Sec. 483 of Bharathiya Nagarika Suraksha Sanhita, 2023 ?

2) What order?

My findings on the above points are as under:

1) Point No.1 : In the Negative

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

for the following:

REASONS

8) **POINT No.1:** The petitioner counsel has addressed the arguments contending that the petitioner is innocent and has been



falsely implicated in the case and has not committed any offence and has a valid and tenable defence. The petitioner counsel further contended that the complaint is based solely on suspicion and the complainant is neither an eyewitness nor has he produced any direct evidence connecting the petitioner with the alleged offence. The petitioner counsel further contended that there was an unexplained delay in lodging the complaint, despite the police station being situated near the place of occurrence, which creates serious doubt regarding the prosecution case and has further contended that the deceased was the petitioner's own sister and there was no previous enmity, ill-will, motive, or dispute between them and no complaint was ever lodged by the deceased against the petitioner during her lifetime. The petitioner counsel further contended that the allegations regarding financial gain, adoption of the petitioner's son, compassionate appointment, or motive to eliminate the deceased are baseless and unsupported by any material evidence. The petitioner counsel further contended that the complainant has merely expressed suspicion regarding the death of the deceased and has not specifically attributed any overt act to the petitioner and the ingredients of Section 103(1) and 238 of BNS, are not attracted and the post-mortem report has not conclusively established the cause of death, as the final opinion was reserved pending receipt of the Chemical Analysis Report. The petitioner counsel further contended that the investigation has been completed, the charge sheet has been filed, and the prosecution



witnesses cited therein are not eyewitnesses and no material has been placed on record to establish the petitioner's involvement in the alleged offences and the petitioner has been made a scapegoat based on mere suspicion. The petitioner counsel further contended that the petitioner has been in judicial custody for more than 3 ½ month, is employed at Chalukya Hospital, and continued detention would adversely affect her livelihood and future prospects and the petitioner is a respectable person, has no criminal antecedents, is a permanent resident with deep roots in society and there is no likelihood of her absconding or tampering with evidence. The petitioner counsel also further contended that the petitioner is ready and willing to abide by the terms and condition that may be imposed by this court and to co-operate with the trial and also is ready and willing to offer substantial surety to the satisfaction of this court. Hence, prays to allow the bail petition.

9) The learned counsel for petitioner in support of his arguments has relied upon the judgments of ***Honb'le High Court of Karnataka reported in (1) Criminal Petition No.17550/2025 in a case between Siddaram alias Siddappa V/s State of Karnataka by Hosakote Police Station, (2) Criminal Petition No.1701/2016 in a case between Chandrakantha C.H. V/s State of Karnataka by Subramanya Police Station Dakshina Kannada District, (3) Criminal Petition No.7240/2019 in a case between Pratap L. V/s State of Karnataka by***



Gangammanagudi Police Station and also relied upon the judgment ***reported in Criminal Misc.Bail Application No.47507/2024 in a case between Tanu Chowdhary V/s State of UP and the judgment of Hon'ble High Court of Madhya Pradesh reported in Misc.Criminal Case No.44756/2024 in a case between Dr. Anchal Pradhan V/s State of Madhya Pradesh.***

10) The learned Public Prosecutor has addressed the arguments contending that the offence alleged against the petitioner U/Sec.103 R/w Section 3(5) of BNS, 2023 is grievous in nature and same is punishable with imprisonment for life or death sentence. The learned Public Prosecutor has contended that the complaint averments prima-facie shows that the petitioner is involved in the alleged offence. The learned Public Prosecutor has also contended that the investigation is completed and charge sheet has been filed in CC No.400/2026. As such, at this stage, if the bail petition of the accused No.2 is allowed there is a chances of threatening prosecution witnesses, destroy evidence, abscond and hamper the trial. Hence, prays to reject the bail petition.

11) Further, the learned Public Prosecutor has relied upon the judgment of Hon'ble Supreme Court of India reported in **CRIMINAL APPEAL NO.1272 OF 2015 (@ SLP(Crl) No. 1596 OF 2015)** in a case between **Neeru Yadav V/s State of U.P.** it is held that the



court should borne in mind the following factors while deciding bail application: (i) whether there is any prima facie or reasonable ground to believe that the accused had committed the offences, (ii) nature and gravity of the accusation (iii) severity of the punishment in the event of conviction, (iv) danger of the accused absconding or fleeing, if released on bail, (v) character, behaviour, means, position and standing of the accused, (vi) likelihood of the offences being repeated, (vii) reasonable apprehension of the witnesses being influenced and (viii) danger of court, of justice being thwarted by grant of bail.

12) On perusal of the records, it is noticed that the prosecution of the case is that on 19.02.2026 at about 4.00 PM, the complainant Shreenivasa S/o Ramachandraiah has lodged the complaint alleging that he had been in a live-in-relationship for about 25 years with Jayalakshamma K.R., a Government employee in the Education Department and widow of late. Srinivasa. They chose not to marry and lived together for many years. Jayalakshamma's sister Anusuya and her children, Channakeshava alias Chandu and Yashoda, had been residing with her for about two years. When Srinivasa and Jayalakshamma decided to shift to a new house at Turuvekere, disputes arose as Anusuya and Channakeshava opposed the move. According to the complainant, on the night of 18.02.2026, after Jayalakshamma informed Anusuya and Channakeshava about the proposed housewarming ceremony at Turuvekere, an argument took place.



Srinivasa left the house after Jayalakshamma asked him to return home. On the morning of 19.02.2026, Srinivasa received information that Jayalakshamma had died. On reaching the house, he noticed injuries near her nose and lips. He alleged that Anusuya and Channakeshava failed to give a satisfactory explanation regarding her death and were making arrangements to take the body to Kantalagere village for burial. Suspecting foul play, he alleged that they had a motive to eliminate Jayalakshamma due to fear of losing financial support if she moved to Turuvekere and suspected that they had suffocated her to death during the night. The complainant requested investigation into the true cause of death and stated that the body had been kept in the mortuary of the Government hospital, Chikkanayakanahalli. As such alleging the said facts, the complainant has lodged the present complaint.

13) On perusal of the records, it is noticed that the police on receipt of the said complaint have registered the case in Crime No.35/2026 for the offences punishable U/Sec. 103(1), 238 R/w Section 3(5) of Bharathiya Nyaya Sanhita (BNS), 2023. The police having investigated the case and after investigation, they have filed charge sheet for the said offences and case has been registered in CC No.400/2026 before Prl. Civil Judge and JMFC., Chikkanayakanahalli. The petitioner has contended that he is ready and willing to abide by the terms and conditions imposed by this court and also to co-operate with the trial. The learned PP has contended that the offence U/Sec.103(1) R/w Section 3(5) of BNS,



2023 is grievous in nature and same is punishable with imprisonment for life or death sentence. On perusal of the records, it is noticed that the offence alleged against the petitioner is grievous in nature and the same is punishable with imprisonment for life or death and IO after investigation has collected the document and evidence with respect to the alleged offence and the complaint averments and charge-sheet materials prima-faice shows that the accused persons are involved in the alleged offence. The charge sheet shows that the IO has arrayed CW1 to CW44 witnesses to prove the alleged guilt of the accused persons, as per the charge sheet materials, there are circumstantial witness to the alleged incident and the statements of the witness prima-faice shows the involvement of the petitioner/accused No.2 in the alleged offence and so also the cause of death of the deceased is kept pending for the chemical analysis report. Considering the gravity of offence and punishment, if the petitioner is enlarged on bail there is every chances of threatening the prosecution witnesses, abscond and hamper the trial, as such, the petitioner/accused No.2 is not entitle for bail. Considering all the facts and circumstances, I am of the opinion that the petitioner has not made out sufficient grounds to allow the petition. Accordingly, I answer the ***point No.1 in Negative.***

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



ORDER

The petition filed by the petitioner/accused No.2
U/Sec.483 of BNSS, 2023 is hereby dismissed.

(Dictated to the Stenographer, transcribed by her, script thereof revised, corrected,
signed and then pronounced by me in the open Court on this the 17th day of June, 2026)

Sd/-

(Hemanth Kumar C.R.)

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