



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 6th day of March, 2026

Crl. Misc. No.69/2026

Petitioner Bharath Jayarama Das
 S/o Jayarama Das
 Aged about 33 years,
 R/at D.No2-165-1,
 Mudu Birthi, Varamballi Village,
 Brahmavara Post & Taluk,
 Udupi District.

(By Sri Akil B. Hegde, Advocate)

/Vs/

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

(By Learned Public Prosecutor, Udupi)

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

Accused No.2 facing allegations of the offences punishable under Section 112 of BNS 2023, Section 78 (1) and (3) of Karnataka Police Act and Section 66 of IT Act in Crime No.21/2026 dated 09.02.2026 of Kota Police Station, has filed this petition.



2. According to complainant- Praveen Kumar R., PSI, Kaup PS, on 09.02.2026, while he was on duty at Police Station, he received a credible information from CPC 203 Vijayendra about a person collecting money from general public using his mobile for online betting regarding World Cup T-20 Cricket Match in a public place near Coastal Paradise Hotel in Pandeshwara Village. Immediately, he along with staff members reached the spot and secured panchas through CPC 203. On observation, he found 5-6 general public surrounding a person who was collecting money and watching mobile screen. Upon conducting raid at about 4.20 p.m. general public ran away on seeing police in uniform. Complainant could apprehend said person collecting money. On enquiry, he disclosed his identity as Manith and he is collecting money at the instance of present petitioner for online betting in respect of Oman-Zimbabwe World Cup T-20 Match. He found to have been using PARKER777 Mobile Application for this purpose with user name



Manvith777 & password [Mom@1881](#) linked to his Canara Bank Account, Hangarakatte Branch through Mobile No.9900934602. Further, he admitted receiving commission from the petitioner for this work. Complainant seized mobile and cash from accused No.1. Hence sought for action.

3. In support of the relief, the petitioner has contended that, no prima facie case is made out by the prosecution against the petitioner. He is in no way connected to accused No.1 who is already granted bail by jurisdictional Magistrate. The mobile application referred to in the complaint can, at the most, be used for checking match score and standings. Therefore, Section 112 of BNS is not attracted. Petitioner is a law abiding citizen having family responsibility. He has no criminal antecedents. His custodial interrogation is not required. If he is arrested, his family will be put to hardship and inconvenience. He is ready and willing to abide by conditions and to furnish surety for his release on bail. 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 is not yet completed. Petitioner is a habitual offender involved in Crime No.92/2025 of Kota PS for similar offence. While granting bail in the said crime there was condition not to indulge in similar offences. But petitioner has violated the same. Cricket Betting is a social menace spoiling youth. It has driven many to commit suicide, desert their family etc. Grant of bail would indirectly encourage such activities. If granted bail, petitioner is likely to repeat the offence. Petitioner may tamper with the prosecution witnesses and destroy evidence. He may not cooperate in the investigation and may not attend the trial. Hence, sought to reject the petition.

5. Heard both sides. Perused the materials.

6. Point that arise for consideration is:

“Whether the petitioner is entitled for anticipatory bail?”

7. Above point is answered in the affirmative for the following:

**REASONS**

8. The allegation in the complaint is that on the basis of credible information received by the complainant, a raid was conducted near Coastal Paradise Hotel in Pandeshwara Village on 09.02.2026 at about 4.20 p.m., wherein accused No.1 was found collecting money from members of the public for online betting relating to the Oman–Zimbabwe World Cup T-20 Cricket Match through a mobile application. It is alleged that during enquiry accused No.1 stated that he was collecting money at the instance of the present petitioner and that he was receiving commission from the petitioner. Based on the said statement, the petitioner has been arrayed as accused.

9. It is pertinent to note that the petitioner was not apprehended at the spot during the raid. The material placed on record at this stage indicates that the implication of the petitioner is primarily based on the statement said to have been made by accused No.1



before the complainant during enquiry. The mobile phone and cash were seized only from accused No.1.

10. The records further disclose that accused No.1 has already been enlarged on bail by the jurisdictional Magistrate. The allegations against the present petitioner are yet to be established during the course of investigation and trial. At this stage, the prosecution has not placed any material to show that custodial interrogation of the petitioner is indispensable for the purpose of investigation.

11. The petitioner has contended that he is a permanent resident having family responsibilities and that he is ready to cooperate with the investigation. Anticipatory bail is a discretionary relief intended to protect the personal liberty of a person against unnecessary arrest, particularly when the investigation can be carried out without custodial interrogation.

12. The apprehension of the prosecution that the petitioner may tamper with prosecution witnesses or hamper the investigation can be safeguarded by



imposing suitable conditions. Merely on such apprehension, the relief under Section 438 Cr.P.C. cannot be denied when appropriate conditions can ensure cooperation of the petitioner with the investigation.

13. At this stage, the Court is not required to conduct a detailed examination of the merits of the case. Having regard to the nature of the allegations, the manner in which the petitioner has been implicated, and considering that the investigation can proceed even if the petitioner is released on bail, it is found proper to grant anticipatory bail subject to conditions as will safeguard the interest of the prosecution.

14. 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 his arrest, petitioner shall be released on bail in Crime No.21/2026 of Kota Police Station, on the following conditions:



- (1) Petitioner shall execute bail bond for the value of Rs.50,000/- with one surety for like sum.
- (2) Petitioner shall cooperate with the Investigating Officer in the investigation and shall attend the trial regularly.
- (3) Neither petitioner nor anybody on his behalf shall tamper or induce, try to tamper or try to induce the prosecution witnesses to withhold from disclosing such facts of the offence either to the court or to the Investigating Officer.
- (4) Petitioner shall not involve in similar offences during pendency of this case.
- (5) Petitioner shall appear within 20 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 6th day of March, 2026)

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