



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 18th day of June, 2026

Crl. Misc. No.226/2026

Petitioners

- 1) K.G. Kumar
S/o Govindappa
Aged about 52 years,
R/at. #E65/1, Mysore Road,
Near Sree Anjaneya Temple,
Kaniminike, PO. Kumbalagodu,
Sub District: Bengaluru South,
District: Bengaluru-560060.
- 2) N.V. Muni Narasimhaiah @
Narasimhanna,
S/o Late Venugopal,
Aged about 52 years,
R/at. SLN Sai Krupa Nilaya,
Bettanagere Road, Nelamangala,
Behind Tulasi Koli Farm,
Nelamangala, PO: Nelamangala,
District: Bengaluru Rural-562123.
- 3) M. Somanatha @ Somanna,
S/o Muni Thimmaiah,
Aged about 43 years,
R/at. 00, Vinayaka Nagara,
Nelamangala Taluk, Arasinakunte,
Bengaluru Rural 562123.
- 4) Kishor Kumar N. @ Kishor Arasinakunte
S/o Narayanappa,
Aged about 33 years,
R/at. Purushanahalli,



Crl. Misc. No.226/2026

Honnavara, Bengaluru Rural-561204.

(By Sri Maruti K. Naik, Advocate)

/Vs/

Respondent : The State through
S.H.O., Brahmavara Police Station.

(By Learned Public Prosecutor, Udupi)

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

Accused Nos.1, 2, 4 and 5 facing allegations of the offences punishable under Sections 108 r/w 3(5) of BNS in Crime No.66/2026 on 14.04.2026 of Brahmavara Police Station, have filed this petition.

2. According to complainant- Prajyush Raj, his father Narasimha H.S. was running Labour Contract Firm by name "Shreekrishna Enterprises" at Belamangala, Bengaluru since about 20 years. For his business, he had borrowed loan from accused persons on premium rate of interest. Since he could not pay interest since two months, accused persons (money lenders) have subjected complainant's father to harassment. On 12.04.2026 complainant's father came to Brahmavara and stayed in Room No.110, Ashraya



Lodge, Brahmavara. Being fed up with harassment by the accused persons, in between 9.30 p.m. on 13.04.2026 and 9.00 a.m. on 14.04.2026 he committed suicide by hanging himself to a ceiling fan with nylon rope. He has left a death note in the letterhead of the firm that mental harassment by accused persons to himself and his family members is the cause behind his suicide. Thus, accused persons have abetted the suicide. Hence, sought for action.

3. In support of the relief, the petitioners have contended that, they are innocent and have not committed any offence as alleged. Ingredients of abetment to suicide are not attracted from the facts narrated in the complaint. Petitioners are strangers to each other and deceased had borrowed money from many persons including the accused persons. Therefore, it cannot be inferred that petitioners have abetted the suicide. This complaint is filed by son of deceased to prevent the borrowers from proceeding against him for recovery of money, which amount to



abuse of legal process. At this stage, there are no materials to infer abetment of suicide on the part of the petitioners. Therefore, custodial interrogation of the petitioners is not required. Offences alleged are not punishable with death or imprisonment for life. Petitioners have no criminal antecedents. They are permanent residents of given address having deep roots in the society. They undertake to abide by the conditions that may be imposed by this court for their release on bail including offering of satisfactory surety. Hence, sought to allow the petition.

4. Learned Public Prosecutor filed objections with the I.O. Report. In the detailed objections it is contended that investigation is in progress. If released on bail, petitioners may destroy documentary evidence such as promissory note, cheque, property records etc. forcible taken from the deceased. Petitioners are rich and influential. They may threaten the prosecution witnesses, destroy evidence and abscond. They may not



cooperate in the investigation and may not attend the trial. Hence, prays for rejecting the petition.

5. Heard both sides. Perused the materials.
6. Point that arise for consideration is:

“Whether the petitioners are entitled for anticipatory bail?”
7. Above point is answered in the affirmative

for the following:

REASONS

8. Petitioners / accused persons claim to be innocent of the alleged offences. However, complaint as well as death note found at the place of suicide mention the name of the accused persons. Victim is dead. Accused persons are being prosecuted for abetment to suicide. In view of the occurrence of the debt, the relationship of the deceased with the accused persons and the transactions involved between them are the things necessary to be considered. Presence of death of a person by itself appears to be heinous. However, transactions between the deceased and the accused persons are relevant to be considered.



9. The offence alleged is not punishable with death. At the same time, presumption of innocence available to the accused persons cannot be overlooked. Complainant being aware of the debt of the deceased is a valid evidence for dying declaration. All these aspects are to be appreciated during the trial. Accused persons lending the amount even for the higher rate of interest are often regulated by relevant laws and rules applicable in the given context.

10. Investigation is in progress. In this context, considering the nature of investigation and the punishment provided for the alleged offence, presence of accused is necessary. Apprehension of arrest causes resistance. Thereby causing further delay in the investigation. On the other hand, accused persons undertake to abide by the conditions of bail and are willing to offer surety. Hence, it is found proper to release the petitioners on bail.

11. 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 their arrest in Crime No.66/2026 of Brahmavara Police Station, petitioners shall be released on bail on the following conditions:

- (1) Petitioners shall execute bail bond for the value of Rs.2,00,000/- each with one surety for like sum.
- (2) Petitioners shall cooperate with the Investigating Officer in the investigation and shall attend the trial regularly.
- (3) Neither petitioners nor anybody on their behalf shall tamper or induce, try to tamper or try to induce the prosecution witnesses or to withhold from disclosing such facts of the offence either to the court or to the Investigating Officer.
- (4) Petitioners shall not involve in any criminal activities during the pendency of this case.



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- (5) Petitioners shall appear within 15 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 18th day of June, 2026)

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