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Presented on : 02-03-2026

Registered on : 03-03-2026

Decided on : 07-03-2026

Duration : 05 days

**IN THE COURT OF THE I ADDL DISTRICT &
SESSIONS JUDGE, YADGIR**

Dated: This the 7th day of March, 2026

:Present:

Sri. A. EARANNA, M.Com., L.L.M.,
I Addl. Dist. & Sessions Judge, Yadgir

Crl.Misc.No.91/2026

Petitioners/Accused No.3, 4, 5, 6:

1. Dandappa S/o Ramappa Madival,
Age:56 Years, Occ:Agri, r/o Kakalwar
village, Tq.Gurumitkal, Dist.Yadgir.
2. Sayappa S/o Ramappa Madival,
Age:43 Years, Occ:Agri, r/o Kakalwar
village, Tq.Gurumitkal, Dist.Yadgir.
3. Ushappa S/o Ramappa Madival,
Age:48 Years, Occ:Agri, r/o Kakalwar
village, Tq.Gurumitkal, Dist.Yadgir.
4. Jayamma W/o Pentappa Madival,
Age:48 Years, Occ:Agri, r/o Kakalwar
village, Tq.Gurumitkal, Dist.Yadgir.

(By Sri.H.M.Patil, Advocate).

Vs.



Respondent:

The State through Gurumitkal Police Station.

(By Public Prosecutor)

ORDER

The petition is filed by the petitioners/accused No.3 to 6 under Section 482 of BNSS for an order of anticipatory bail.

2) On the strength of complaint the Gurumitkal police have registered the case in Crime No.32/2026 for the offences punishable under Sections 189(2), 191(2), 191(3), 115(2), 118(1), 74, 352, 351(3) R/w 190 of BNS.

3) In the bail petition it is contended that they are nothing to do with the alleged offences and they are falsely involved in the above case at the instigation of the ill wishers of the petitioners. All the offences are not punishable with death or imprisonment for life secs.118(1), 74 are non bailable but not punishable with



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death or imprisonment for life and all the offences are triable by the JMFC Court. The petitioners are ready to furnish the surety to release them on bail. On these grounds, the petitioners pray to allow of the bail petition.

4) The learned Public Prosecutor filed the objection contending that present bail petition is not maintainable, same is liable to be dismissed. If the petitioners are granted with anticipatory bail, the petitioners may threaten the prosecution witnesses and they may destroy the prosecution evidence or they may commit the similar kind of offences and the possibility of petitioners fleeing away from justice cannot be ruled out. Inter alia, on these grounds, pray to dismiss of the bail petition.

5) Heard both sides. Perused the record.

6) Following points arise for consideration of this Court:

1. Whether the petitioners are made out grounds to enlarge them on anticipatory bail under Section 482 of BNSS.?



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2. What Order?

7) My findings on the above Points are as follows:

Point No.1:- In the Affirmative

Point No.2:- As per final order,

for the following:

REASONS

8) **Point No.1:-** The counsel for the petitioners argued that petitioners have not at all committed any offences as alleged by the prosecution. Petitioner by name Husenappa and Ramesh are released on bail by the learned Prl.Civil Judge and JMFC Court Yadgir. Therefore, on the basis of parity ground counsel for the petitioner prays to allow the bail petition.

9) The learned Public Prosecutor argued that case is under investigation and accused persons have outraged the modesty of wife of the complainant. If the petitioners are released on bail it may pass wrong signal to the society. Therefore, he prays to dismiss the bail petition.



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10) On perusal of the records, one Veeramma has lodged the complaint on 25.2.2026 stating that petitioners are their relatives and they have having landed property in Kakalwar village about 2-3 years back petitioners are demanding share in the property as partition was not properly allotted for that on 24.2.2026 at about 5:30 p.m. complainant along with her sons by name Ramesh Ravi were in-front of their house then the petitioner having with unlawful assembled went to the said place and started quarrel with the complainant, abused in filthy language stating that no proper partition was taken. Then Husenappa has assaulted with handful stone on left forearm of complainant. Then her sons came to pacify the quarrel petitioner by name Ramesh assaulted with stick on her son Ramesh on left shoulder and chest and another person assaulted on Ravi on waist then assaulted with hand and gave life threat. Thereafter, they took the treatment after thought they lodged the complaint.



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Based on the complaint respondent police have registered the case in Crime No.32/2026 for the aforesaid offences.

11) On perusal of the prosecution case, husband of the complainant and petitioners are the brothers partition took long back between the husband of the complainant and petitioners. In spite of it, petitioners are objected and demanding share in the property stating that no proper partition was taken and alleged incident was taken on 24.2.2026. On perusal of the records, there is a property dispute in between the brothers for that alleged incident was taken. Offences U/sec.118(2) and 74 of BNS are non-bailable in nature but not punishable with death or imprisonment for life. Further, Husenappa and Ramesh who assaulted with handful stone and stick that they are released on bail by the JMFC Court Yadgir. Based on the parity ground counsel for the petitioner prays to allow the bail petition. Alleged offences are not punishable with



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death or imprisonment for life. Respondent police are making hectic efforts to arrest the petitioner. If the petitioner arrested and remanded to JC then there is a more chances to reside with cordial with the petitioner and petitioner nor her sons. There is a delay in filing the complaint. All the injured persons are discharged from the hospital. By considering these facts as well as reasons stated by the petitioners they are entitled for bail. Hence, I answer the above Point No.1 in the **Affirmative.**

12) **Point No.2:** In view of my findings on Point No.1, I proceed to pass the following:

ORDER

The bail petition filed by the petitioners/ accused No.3 to 6 U/s 482 of BNSS, is hereby allowed;

The respondent police are hereby directed to enlarge the petitioners on anticipatory bail in the event of their arrest



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in Crime No.32/2026 of respondent Police Station for the aforesaid offences on execution of personal bonds for Rs.50,000/- each with one surety for the like sum on the following conditions:

1. The petitioners shall join investigation and co-operate with I.O for investigation.
2. The petitioners shall not tamper with the prosecution evidence or influence the prosecution witnesses directly or indirectly in any manner.
3. The petitioners shall not indulge with offence of like nature.
4. In case, if the petitioners violate any of the above mentioned conditions, the prosecution is at liberty to move an application in such cases for cancellation of bail.

(Dictated to the Stenographer Grade II directly on computer typed by him, corrected, signed and then pronounced by me in Open Court on this the 7th day of March, 2026).

(A. EARANNA)
I Addl. Dist. & Sessions Judge,
Yadgir.