

KAYG010020992025



1

Spl.Case. 198/2025

**IN THE COURT OF THE PRL. DISTRICT AND SESSIONS
JUDGE, YADGIRI**

Dated this the **11th day of November 2025**

PRESENT

Sri.Marulasiddaradhya H.J.

B.A, LL.B.,LL.M

Prl. District and Sessions Judge,
Yadgir.

Spl.Case.No.198/2025

Petitioner/Accused No.3:

Mallappa
S/o Siddappa Bhandari,
Age: 34 years, Occ: Agriculture,
R/o: Kirdali village,
Tq: Surpur, Dist: Yadgiri.

(By Sri.P.C.Malipatil, Advocate)

Vs.

Respondent:

1. The state of Karnataka through
Kembhavi P.S
2. Jattepa
S/o Manappa Doddamani,
Age: 19 years, Occ: Coolie,
R/o: Jainapur village,
Tq: Surpur, Dist; Yadgiri.

(By Public Prosecutor, Yadgiri for R-1)
(Respondent No.2 absent)

* * *

KAYG010020992025



2

Spl.Case. 198/2025

ORDER

This petition is filed by the petitioner/accused No.3 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita-2023 (in short 'BNSS-2023'), seeking regular bail in Crime No.86/2020 (Spl.C.198/2025), registered by the respondent-police, for the offences punishable under Sections 143, 147, 448, 323, 504, 506 R/w Sec. 149 of IPC and Section 3(1)(r), 3(1)(s), 3(2)(v-a) of SC/ST PA Act.

2) The petitioner has presented his petition with various grounds.

3) The learned public prosecutor after service of notice filed objections to the petition by praying to reject the same as groundless.

4) After service of notice on respondent No.2 called out absent.

5) Heard and perused ground of the petition, objections and documents on record.

6) The following points arise for my determination:

1) Whether the petition U/Sec.483 of BNSS is deserves to be allowed?

2) What order?

KAYG010020992025



3

Spl.Case. 198/2025

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 brief fact of the prosecution case reveal that, on 18-05-2020 crime is registered before Kembhavi police station with the allegation that on 17-05-2020 at about 6.00 p.m., when the complainant was returning home from Kirdalli village on his motorcycle towards Jainapur village in front of Sangolli Rayanana Katte accused No.1 to 6 were standing on the road obstructed the passing vehicles on the road, when the complainant blow the horn and told them to stand by the side of the road, all the accused told him to go after they go by the side of the road and abused him in filthy language by touching his caste name and started quarreling with him. The accused assaulted him with hands and the same has been seen by CW.6, CW.10 and 11. He informed about the incident to his

KAYG010020992025



4

Spl.Case. 198/2025

brother CW.4 and CW.5. Hence, the complainant along with them went near the spot again at about 6.30 p.m., and asked the accused for assaulting CW.1. Being ravaged by it all the accused abused CW.1, CW.4 & 5 in filthy language by touching their caste name. Accused No.1 assaulted CW.1 over his back with hands, accused No.2 also assaulted him with club over his right leg and chest. Accused No.3 & 4 assaulted CW.4 with hands all over his body. Accused No.5 & 6 assaulted Cw.5 with hands and legs. CW.6, CW.10 and 11 pacified the quarrel. The accused threaten to the life of CW.1, CW.4 and CW.5 by saying that they must hear them or otherwise they wont spare them alive. Thereafter, Cw.1, CW.4 and CW.5 took treatment at Kembhavi government hospital and then higher treatment in Surpur government hospital on the next day. Again on 18-05-2020 at about 6.00 a.m., when CW.6 to CW.9 the family members of CW.3 were in their house at Kirdalli village, the family members of accused No.1 who are accused No.7 to 10 went to their house by trespassing it and abused them in filthy language by

KAYG010020992025



5

Spl.Case. 198/2025

touching their caste name. They threatened to their life if they registered any case against them. CW.12 pacified the quarrel. Hence, on the same day complaint is registered as crime No.86/2020 against all the accused. The I.O has also concluded investigation with list of 22 witnesses for the aforesaid offences.

9) The case against this accused No.3 has been slipt-up from original Spl.C.No.64/2020 and a separate charge sheet has been filed against him.

10) This accused No.3 having issued with NBW by this court appeared voluntary before the court and obtaining interim bail filed this application for regular bail on the grounds that he is innocent and law abiding citizen. He has been falsely implicated in this case. The allegations are not punishable either with life imprisonment or death sentence. The I.O has submitted charge sheet and accused is ready to abide by any conditions. He is permanent resident with depending family members.



11) The learned public prosecutor in his objections to the petition contended that the accused committed serious offences and remain absconding inspite of NBW issued by this court. In case of his release on bail, he may commit similar offences, threaten prosecution witnesses and cause more delay for early conclusion of trial. Hence, having no grounds made out by the petitioner/accused No.3, he prays to reject the bail petition.

12) After perusal of records of the case, grounds of the petition along with objections it is clear that this petitioner as arrayed as accused No.3 in the charge sheet submitted by the I.O. Initially Spl.C.No.64/2020 has been registered against all the accused. But due to absence of this accused split-up charge sheet is registered against him.

13) The prosecution has not alleged any criminal antecedents to this petitioner. This accused No.3 has alleged dispute only against complainant and family members. There is no existing threat to the life and safety of the victim and family members.

KAYG010020992025



7

Spl.Case. 198/2025

14) This accused is the permanent residents with his own depending family members. The allegations are not punishable either life imprisonment or death sentence. The I.O completed investigation and submitted charge sheet. There is no necessity to detained the petitioner in custody for any purpose. The objections of learned public prosecutor could be satisfied by imposing reasonable conditions. Hence, I answer point No.1 in the **Affirmative.**

15) POINT No.2:- In view of my findings on point No.1, I proceed to pass the following:

ORDER

The petition filed by the petitioner/accused No.3 under Section 483 of BNSS., is hereby allowed.

The petitioner/accused No.3 is ordered to be released on bail on his executing personal bond for a sum of Rs.1,00,000/- with one surety for the like-sum to the satisfaction of this Court, on the following conditions;

- 1)** The petitioner/accused shall not abscond or tamper with prosecution evidence.

KAYG010020992025



8

Spl.Case. 198/2025

- 2) The petitioner/accused shall appear before the court on every date of hearing unless expressly exempted by order of the court.
- 3) The Petitioner/accused shall not indulge in committing similar offences in future.

(Dictated to the Stenographer directly on computer, corrected it, taken out print, signed and then pronounced by me in the open Court on **11th day of November, 2025**)

(Marulasiddaradhya H.J.)
Prl. District and Sessions Judge,
Yadgir.