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CrI.Misc.No.5046/2026

IN THE COURT OF II nd ADDL.DISTRICT AND SESSIONS
COURT, YADGIR,
SITTING AT SHORAPUR.
:PRESENT:

Sri. Yamanappa Bammanagi, B.A.LL.B (Spl.)
II nd Addl. District & Sessions Judge, Yadgir,
sitting at Shorapur.

DATED THIS THE 25th DAY OF MARCH, 2026.

CrI.Misc.NO. 5046/2026

Petitioner Amaresh @ Ambresh S/o Chandrashekar
Shetty, Age: 34 years, Occ: Business,
R/o Hunsagi, Tq: Hunsagi, Dist: Yadgiri.

(By Sri.JAJ Adv.,)

V/s

Respondent: The State through Hunsagi P.S.
Tq: Hunsagi, Dist: Yadgiri.

(By Sir. Public Prosecutor)

ORDER ON BAIL PETITION FILED U/SEC.483 OF BNSS.

The petitioner/accused has filed this petition, under section 483 of BNSS, for regular bail, in Crime.No.130/2025 of Hunasagi PS, registered for the offence P/U/Sec.103(1) of

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BNS, against present accused, and present petitioner/accused.

2. Brief facts of prosecution case, are as follows:-

On 24.10.2025, at 06.00 am, as usual the complainant gone for Hamalli work in shop belongs one Kittappa, it was 02.00 pm, when complainant came to his house for meals, his wife and his deceased daughter Pooja were in the house, after having meals the complainant again wen for his work, it was 06.30 pm, when complainant was near said shop he received phone call from his wife and his wife told him in phone that, his daughter Pooja gone to market to purchase chapple (sleeper) at 04.00 pm, but, she did not return, on received the said the complainant called to deceased Pooja's phone, but, she did not received phone call, hence the complainant gone to sleeper shop in Hunasagi and asked them as to whether Pooja had come to shop, owner of sleeper shop told him that Pooja did not come to shop today, hence the complainant came to his house and enquired with his wife about Pooja, when complainant enquiring with his wife about Pooja the complainant received call from police and



police told him that Pooja died and some one committed murder of Pooja, the complainant and his relative went to the spot and found that, Pooja was done to death and blood was oozing from her nose, further the complainant has stated in the complaint that, prior to the incident in question the complainant preparing mango pickle in his house and used to sell the same, accused used to come to the house of complainant for purchasing the pickle and he used to talk with closely with deceased Pooja, and accused used to wander around the house of complainant on his motorcycle to meet the Pooja, when complainant and his wife say the accused talking with deceased Pooja they suspected on accused as such on 24.10.2025 at 04.00 pm, deceased Pooja gone to Market for purchasing sleeper, when she was going to market accused took her to the house situated in UKP camp Hunasagi in between 04.30 pm to 06.30 pm, and committed murder of deceased Pooja, hence, the complainant lodged complaint, on basis of the said complaint the respondent registered the crime against present petitioner and police have arrested and produced before the court and court



remanded his to JC, the present petitioner is in JC, Hence he filed this petition on following ;

GROUNDS

A. *The petitioner is nothing to do with the alleged offence and he has been falsely implicated in the crime, there is no material before the court to connect these petitioner with alleged offences. Looking to the facts and circumstances appearing in the FIR appears to be sketchy artificial and concocted, there is no eye witness to the alleged incident and petitioner/accused cannot held responsible for the death of Pooja.*

B. *The concerned police officer the case has been registered against accused person, the accused/petitioner is in judicial custody from 25.10.2025, the concerned police placed charge sheet before the court of Addl. Civil judge and JMFC at Shorapur, after case has been registered in CC No.62/2026.*

C. *The petitioner/accused is doing business and he has only earning member in his family, accused is permanent resident of Hunasagi village, Tq: Hunasagi and he is having movable*



and immovable properties within the jurisdiction of this court.

D. *The petitioner is ready and willing to abide by any conditions which can be imposed by this court.*

3. Ld. PP has filed objection stating the facts of prosecution case as already extracted supra, further Ld PP would contended in the objection that, the petitioner has committed non-bailable offences and there is no genuine grounds, the accused person has committed heinous offence, alleged offences are grievous in nature, the accused person committed murder of married woman when she was residing in her parents house for delivery, if accused person is released on the bail there is every chances of tampering prosecution witness and there is every chance of absconding of accused person, and if accused released on bail he will not co-operate with trial, the alleged offence is punishable with death or imprisonment for life, with this the Ld PP prayed for rejection of bail petition.



4. Heard on both sides. Along with petition, the petitioner has produced document, certified copy FIR and complaint, and certified copy of order sheet and certified copy of remand sheet and certified copy of entire charge sheet.

5. I have perused the contents of petition, grounds stated in the petition, objection filed by learned PP and also considered the arguments canvassed by the learned counsel for the parties and perused the same. On perusal of the same the points that would arise for determination are as follows;

POINT NO.1: Whether the petition filed under section 483 of BNSS Act, is deserves to be allowed at this stage ?

POINT NO.2: What order ?

6. My findings to the above points are as follows;

Point No.1 : in the Negative.

Point No.2 : As per the final order, for the following ;

REASONS

7. **POINT NO.1:** It is well settled law that the court cannot go into the merits and demerits of the case while



deciding the bail petition. What court has to looked into in deciding bail petition is that, the nature and seriousness of the case, severity of the offence, chance of condescendence of the accused during trial, tampering of prosecution witnesses and possibility of repetition of same crime and gravity of the accusation and antecedents of the accused.

8. On careful scrutiny of facts stated in the complaint, material placed before the court, and there is prime-facie case against the petitioner, the accused committed heinous offence on innocent woman, and there is a sufficient material before the court as accused is inducing and teasing the deceased prior to the incident in question and same was seen by the parents of the deceased. Off-course, when parents of the deceased saw the accused who used to follow the deceased victim, and he used to wander around the house of complainant to meet the deceased, but, they did not lodged the complaint against accused, that is not the ground for bail, because, no parents come forward to lodged the complaint in the situation stated in the complaint looking to the reputation of family, marital life to deceased and life of



married victim in the society, under the facts and circumstances of the case, manner in which the accused has committed such a heinous offence on innocent woman, and looking to the nature and gravity of offence, at this stage, if accused person is released on bail, there is every chance of giving threat to the victim's family, hence, I am of the opinion that, at this stage, the petitioner is not entitle for the bail, hence the petition is liable to be dismissed. Hence I answer this point in the **Negative**.

9. POINT NO: 2: In view of the finding on Point No.1, I proceed to pass the following;

ORDER

The petition filed U/Sec.483 of BNSS Act, by the petitioner/accused is hereby dismissed.

(Dictated to the Stenographer-III directly on computer, transcript computerized by her, corrected, initialed and then pronounced by me in the open court, on this the 25th day of March - 2026)

(Yamanappa Bammanagi)
(II nd Addl. District and Sessions Judge
Yadgir, Sitting at Shorapur)