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1 Crl.Misc.No.5048/2026

**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 17<sup>th</sup> DAY OF MARCH, 2026.**

**CRL. MISC.NO.5047/2026**

- Petitioners:1.** Laxmikant S/o Husanappa Ilkal,  
Age: 59 years, Occ: Govt. Servant R/o  
Sedam Road, Opp. RTO Office,  
Anjanaya Nagar, Kalaburagi
- 2.** Jyoti W/o Laxmikant Ilkal  
Age: 50 years, Occ: Household R/o  
Sedam Road, Opp. RTO Office,  
Anjanaya Nagar, Kalaburagi
- 3.** Sunita W/o Chandrakant Ilkal Age: 46  
years, Occ: Household  
R/o Sedam Road, Opp. RTO Office,  
Anjanaya Nagar, Kalaburagi
- 4.** Chandrakant S/o Husanappa Ilkal  
Age: 55 years, Occ: Govt. servant R/o  
Sedam Road, Opp. RTO Office,  
Anjanaya Nagar, Kalaburagi
- 5.** Geetha Chakari W/o Balappa Chakari  
@ Raghupati, Age: 54 years, Occ:

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Household R/o H.No.2-11-1, Market  
Road, Putnala Batti, Mehaboob Nagar,  
(Telangana)

6. Balappa Chakari @ Raghupati S/o  
Raghupati Peta Khandappa  
Age: 58 years, Occ: Private work R/o  
H.No.2-11-1, Market Road, Putnala  
Batti, Mehaboob Nagar, (Telangana)
7. Shrimant S/o Chandram Jewargi  
Age: 65 years, Occ: Nil R/o # 159, 2nd  
Cross Darga Road, Near Jhatpat BiBi  
Darga, GDA Layout, Kalaburagi
8. Chandrakant Maski @ Chandrashekar  
S/o Veerappa, Age: 56 years, Occ: Govt.  
Servant R/o Sedam Road, Opp. RTO  
Office, Anjanaya Nagar, Kalaburagi
9. Laxmi @ Mahalaxmi Gadawal W/o  
Allipet Laxminarayan, Age:41 years,  
Occ: Household, R/o Kunta Veedhi,  
Gadwal, Mehaboob Nagar, (Telangana)

**(By Sri.ASP Adv..)**

**V/s**

**Respondent:** The State through B-Gudi P.S.  
Tq: Shahapur, Dist: Yadgiri.

**(By Sri. Public Prosecutor)**



**ORDER ON BAIL PETITION FILED U/SEC.482 OF  
BNSS.**

Being apprehended of arrest by the respondent, in Crime.No.24/2026 of B-Gudi PS, registered for the offence P/U/Sec.61(2), 318(4) R/w 190 of BNS, against accused No.1 to 9, the present petitioners/accused No.1 to 9 have filed this petition for the necessary directions to the respondent to release them on bail in the event of their arrest in the said crime.

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

On 07.03.2026, the complainant lodged the complaint stating that, when complainant engagement was performed with the daughter of accused No.1 i.e. Laxmikant Ilkal, at the time of the engagement the accused persons had agreed that, they would perform the marriage of their daughter Madhushree, on 17-11-2025 at about 12:35 PM marriage of complainant and Madhushree was performed in Balbhimaeshwar Kalyan Mantapa in Bheemarayanagudi, the complainant party



had given 6 Tolas of Gold articles to said Madhushree in the form of Mangalsutra, Ear rings, Finger rings etc and the total expenses of the marriage was Rs. 15.00 lakhs. After marriage the wife of the complainant was brought to her matrimonial home, and she stayed for 6 days, along with Madhushree her maternal aunt i.e. accused No.5 Geeta Chakeri was also present and the family members of the complainant tried to interact with the said Madhushree but Madhushree behaved in an unusual manner i.e. started to laugh, started to combing hair, started disturbing hair, and looked like mentally ill, and the complainant party said that, he will provide medical treatment to Madhushree, but the accused persons said that, they would take her to a doctor and in the mean time, panchayat was conducted for 3-4 times and it was also disclosed that, said Madhushree was getting treatment in Mahabaleshwar Mental Hospital Raichur, since 4 years, and the same was immediately snatched by one of the accused persons and accused persons also said that, he will not send Madhushree to her

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matrimonial home upto 6 months, and on 08-02-2026 again a panchayat was conducted in Kalaburagi, in the said Panchayat mutual consent divorce was decided and on 05-03-2026, Madhushree failed to sign the divorce papers, and said that, he will see after 6 months. Hence the complainant understood that, he was cheated at the hands of accused persons knowing fully well that said Madhushree is mentally ill and the accused persons have internationally performed her marriage with the complainant who is a Govt. servant, and also to see that, alimony and maintenance would be extracted and the same is done by hatching criminal conspiracy, hence the complainant has lodged the complaint against parents of Madhushree, uncle & aunt, and other relatives of Madhushree, hence the complainant lodged the complaint. On basis of said complainant respondent registered crime against the petitioners, being apprehended of arrest by the respondent, the petitioners have filed this petition on following ;



**GROUND**

**A.** *The allegations levelled against the petitioners are false and baseless, petitioners are innocent persons they have falsely implicated in the case by the complainant only to meet out harassment, there is a delay of more than 3 months in lodging the complaint by the complainant and the reason for delay is not satisfactorily explained, hence the same raises suspicion regarding the authenticity of the complaint.*

**B.** *The complainant has implicated the entire family of Laxmikant Ilkal, the ingredients of the alleged offences are not attracted against the petitioners as the petitioners have never hatched criminal conspiracy and thereby have cheated the complainant, the petitioner No.1, 4 & 8 are Govt. servants, petitioner No.2, 3, 5 & 9 belong to women folk, the petitioner No.5, 6 & 9 are residents of Mehaboob Nagar District, Telangana State and The petitioner No.3 to 9 are the relatives of petitioner No.1 and are respected persons in the society.*



**C.** *The allegation of said Madhushree who is the wife of complainant stating as mentally ill, is absolutely baseless, the complainant has filed a petition U/sec.11 R/w sec. 5 (i) (a) (b) of Hindu Marriage Act 1953, before Family Court at Kalaburagi in M.C. No.60/2026 on 10-02-2026.*

**D.** *The complainant after filing a case in Family court to declare the marriage as null and void and later has got managed to register FIR on 07-03-2026 as his younger sister is PSI only goes to show the fact that, the complainant is abusing the process of law to his convenience, the alleged offences are non-bailable in nature but are not so heinous as to punish with extreme penalties and the alleged offences are exclusively Triable by court of Magistrate.*

**E.** *The petitioners are apprehending their arrest at the hands of respondent police as the police are looking for their whereabouts by visiting the house, work place and enquiring in the neighbour hood, the petitioners are the permanent residents of the*



*address shown in the cause title and own movable and immovable properties within the jurisdiction of the court.*

**F.** *The petitioners are ready and willing to abide by any conditions which may 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 accused persons have committed non-bailable offences, said offence is heinous in nature, and there is no genuine grounds, if accused persons released on bail they will give threat to the complainant and tamper the prosecution witness, there is every chance of repetition of same crime by the same petitioners, and they will not co-operate with IO and investigation with hamper, and with this the Ld PP prayed for rejection of bail petition.

**4.** Heard on both sides. Along with petition, the petitioners have produced document, certified copy of FIR with complaint xerox copy of Aadhar cards of petitioners.



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 482 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 Affirmative.

**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, (i) the nature



and gravity of the accusation; (ii) the antecedents of the applicant including the fact as to whether he has previously undergone imprisonment on conviction by a court in respect of any cognizable offence; (iii) the possibility of the applicant to flee from justice.

**8.** On careful scrutiny of facts stated in the complaint, material placed before the court, and document produced with petition, there is no prime-facie case against the petitioners, the alleged offences are not punishable with death or imprisonment for life. The complainant himself stated in the complaint that, there was engagement between the parties in connection with marriage of complainant with his wife, that itself shows that he had opportunity to talk with his wife to know as to whether his wife his mentally fit for marriage or not, so, question of teaching does not arise, looking to the facts stated in the complaint, I am of the opinion that, at this stage without touching the merits and demerits of the case, the accused persons/petitioners is entitle for



anticipatory bail, at this stage, the petitioners are entitle for the bail. Hence I answer this point in the **Affirmative.**

**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.482 of BNSS Act, by the petitioners/accused No.1 to 9 is hereby allowed. Consequentially, the petitioners/accused No.1 to 9 is ordered to be released on bail, in Crime.No.24/2026 of B-Gudi PS, registered for the offence P/U/Sec.61(2), 318(4) R/w 190 of BNS, against accused No.1 to 9, on their executing a personal bond for sum of Rs.50,000/- each with one surety for the like sum to the satisfaction of the IO, subject to the following Condition;*

*1. Petitioners/accused No.1 to 9 shall appear before the IO within 15 days from the date of order and execute the*



*personal bond for sum of Rs.50,000/-  
with one surety for the like sum to the  
satisfaction of the IO.*

*2. Petitioners/accused No.1 to 9 shall  
not tamper and threat to the  
prosecution witness in any manner.*

*3. The Petitioners/accused No.1 to 9  
shall not involve in commission of  
same crime.*

*4. The Petitioners/accused No.1 to 9  
shall co-operate with IO in  
investigation and appear before him  
whenever IO called upon to do so, till  
filing of charge sheet.*

(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 17<sup>th</sup> day of March -  
2026)

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