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KACB320004072026



**IN THE COURT OF THE II ADDITIONAL DISTRICT
& SESSIONS JUDGE, CHIKKABALLAPURA,
SITTING AT CHINTAMANI**

Dated this the 30th day of July, 2026.

PRESENT :

Sri. Kantharaju S.V. B.A. LL.B.
II Additional District & Sessions Judge
Chikkaballapura, Sitting at Chintamani

Crl. Misc.No.203/2026

Petitioners:

1. Sri.Ramappa
son of Hanumanthappa
Aged about 64 years,
2. Smt.Nagamani
Wife of Manjunatha,
Aged about 40 years,
Residing at Pillagundlahalli Village
Bashettihalli hobli,
Sidlaghatta Taluk,
Chickballapur District.
3. Smt.Anitha,
Wife of Anjinappa,
Aged about 29 years,

The petitioner no.1 and 3 are
Residing at Thokalahalli Village,
Bashettihalli Hobli,


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Sidlaghatta Taluk,
Chickballapur District.

(Rep. by Sri. J.Venkatesh
Advocate)

V/s

Respondent:

The State

Rep. by Dibburahalli police
Station, Chikkaballapura District

(Rep. by Learned Public Prosecutor,
Chintamani)

:ORDERS:

This petition is filed under Section 482 of Bharathiya Nagarika Suraksha Sanhitha, 2023 on behalf of the petitioners/accused No.1 to 3 for grant of anticipatory bail in the event of their arrest in connection with Crime No.92/2026 in Dibburahalli Police Station for the offences punishable under Sections 115(2), 74, 351(2), 352 read with section 3(5) of the Bharatiya Nyaya Sanhitha, 2023, pending on the file of Addl. Civil Judge and JMFC., Shidlaghatta, in the interest of justice.

2. The learned Public Prosecutor representing the State has seriously opposed the application and has requested to reject it for the reasons stated in her written objection and I.O. Report.


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3. Heard arguments from both sides.

4. The point for my consideration is;

"Whether the petitioners/accused No.1 to 3 have made out ground for grant of the bail as sought?"

5. The above point is answered in the **Affirmative** for the following;

:REASONS:

6. I have perused the records. On the strength of the complaint lodged by Anandamma on 20.06.2026 at 5.30 PM alleging that, there is a site dispute between the Ramappa family and themselves, in the meanwhile, on 26.06.2026 at about 10.00 a.m. in the disputed site the family of Ramappa were doing foundation work, the complainant restrained not to put up foundation in the said site, until deciding the issue. All of a sudden Ramappa came pulled her plait and kicked with his leg and torn her neck chain and her clothes. By seeing the quarrel, Navitha and Venkataravanappa came to pacify the quarrel, Smt. Nagamani and Anitha have assaulted them by pushing them and caused injuries. Ramappa threatened to kill them. Thereafter, neighbour Muniyamma called the Ambulance and shifted the

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complainant to Government hospital. On the basis of the said allegations, the present case has been registered by the concerned Dibburahalli Police Station for the aforesaid offences.

7. The learned counsel for the petitioners contended that as per contents of complaint it clearly discloses that the complainant police have foisted false case against Petitioners. The respondent's police have registered false case against the petitioners without proper enquiry, and foisted false case against petitioners with the instigation of rivalries of family petitioners without proper enquiry. Further, the petitioners leading their life by doing their work and also gained good reputation in the village. The Petitioners are law abiding persons of the locality and they are no way concerned to the alleged offences and they are permanently residing in the given address and always available in the address. There is no any incriminating circumstance for alleged offences alleged against the petitioners. There are no any criminal antecedents against the petitioners in anywhere in any manner. Further, they are ready and willing to abide by all the terms and conditions that may be imposed upon them by this Court. The offences alleged against the petitioners are offence under section 74 of B.N.S.S is non bailable and other offence are bailable in nature and for


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the alleged offence the punishment is not exclusively death of life imprisonment and hence this Court has got ample jurisdiction to grant the relief in favour of the petitioners. If this petition is not allowed and anticipatory bail Order is not granted, the Petitioners and their family will be subjected to serious loss and injustice as the Petitioners and their family leading their life respectfully in the locality. Hence, they prayed to allow the bail petition.

8. On the contrary the learned Public Prosecutor has filed objections and seriously opposing the bail petition on the ground that, the bail petition filed by the petitioners are contrary to law and facts, liable to be dismissed. Further the learned Public Prosecutor has reiterated the complaint averments. The investigation is not yet completed. The I.O. is yet to record the statements of direct and circumstantial witnesses and has to collect the documents and wound certificates of injured persons. There is a civil dispute between the complainant and petitioners. On perusal of the complaint averments, there is prima facie case made out against the petitioners, hence, they are not entitled for anticipatory bail. The petitioners have committed a heinous offence. The alleged offences punishable under imprisonment for 5 years with fine and they are non


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bailable offences. If at this stage, 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. Further, it is contended that there are no valid grounds to grant anticipatory bail to the petitioners. There is sufficient material on record to presume that the petitioners have committed the offences alleged against them. Hence, it is requested to reject the petition.

9. The contentions of either side is placed on record. I have carefully perused the allegations made against the petitioners in the FIR, the statement of objection filed by the prosecution, and the contentions raised by the petitioners in this petition. Further, the alleged offences are not punishable with death or imprisonment for life and triable by the Court of Magistrate. Though the alleged FIR was registered on 21.06.2026 the investigating officer have not arrested the accused persons. Further, the allegations made against the petitioners by the complainant are required to be proved through full fledged trial. Except the offence under Section 74 of BNS, 2023, all other offences are bailable in nature. Apart that the petitioner No.2 and 3


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are the women and there is a counter case registered in Cr.No.94/2026 dated 21.06.2026 by one Anitha before the respondent police against the complainant and others. On the other hand, the petitioners have undertaken to abide by the conditions imposed by this Court. Under the said circumstances, apprehending the arrest by the police is quite natural and reasonable. Hence this Court is of the considered view that, the interest of petitioners and prosecution can be balanced by imposing stringent conditions. Accordingly, I proceed to pass the following:

ORDER

The anticipatory bail petition under Section 482 of Bharathiya Nagarika Suraksha Sanhitha, 2023 filed by the petitioners/accused No.1 to 3, is hereby **allowed** as prayed for.

The Investigating Officer is hereby directed to release the Petitioners in the event of their arrest in Crime No.92/2026 of Dibburahalli Police Station, pending on the file of Addl. Civil Judge and JMFC., Shidlaghatta on executing their personal


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bond for a sum of Rs.50,000/- each with one surety for the likesum.

This order is subject to the following conditions:

1. They shall appear before the Investigation Officer and furnish surety within 15 days.
2. They shall not repeat the same and involve in any kind of offences.
3. They shall mark their attendance before the Investigation officer on 1st and 15th of day of every month between 10.00 a.m. till 5.00 p.m. till completion of investigation.
4. They shall not directly or indirectly threaten or destroy the prosecution witnesses.
5. They shall co-operate with the investigation officer as and when required.

In the event if violated any of the conditions, prosecution would be at liberty to seek the cancellation of the bail.

(Dictated to the Stenographer directly on computer, typed by him, corrected and then pronounced by me in the Open Court, on this the **30th day of July, 2026.**)


(Kantharaju S.V.)

II Additional District & Sessions Judge,
Chikkaballapura, Sitting at Chintamani