

KABC010310352025



**IN THE COURT OF LXXI ADDL. CITY CIVIL &
SESSIONS JUDGE, BENGALURU CITY (CCH-72)**

DATED THIS THE 25th DAY OF APRIL, 2026

PRESENT:

**Sri. KRISHNAMURTHY J B,
B.A, LL.B, PGDHRM**
LXXI Addl. City Civil & Sessions Judge,
Bengaluru.

Crl.Misc.No.3757/2026

Petitioners:	1. Vijay David, S/o Issac Raja, Aged about 37 years, R/at No.21, 8th Cross, Nº Koshys Hospital, Ramamurthynagar, Bangalore. 2. Kavitha Elangovan, W/o Christopher Thangaraj, Aged about 42 years, R/at No.4/60, New Balaji Nagar, Nº Fortland Europa Villa, Sengalipalayam, Idigarai, Coimbatore,
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	Tamil Nadu. (By Sri. Abhishek P Singh, Adv.)
AND	
Respondent:	State of Karnataka, By East Women P S, Bangalore. (By the Learned Public Prosecutor)

**ORDER ON BAIL APPLICATION FILED U/S.482
OF BNSS**

The bail petition is filed by the petitioners under Section 482 of BNSS praying to grant an order of anticipatory bail in the event of their arrest in **East Women P S, Crime No.41/2026** for the offences punishable **U/Sec. 85 of BNS and Sec. 4 of D.P.Act.**

2. The gist of the complaint is that the petitioner No.1 is the husband of complainant and their marriage was solemnized in the year 2024. After marriage, accused persons started to harass the complainant, demanded to get more dowry from her parents house, abused in filthy language, assaulted,

threatened with dire consequences and petitioner No.1 with the instigation of petitioner No.2, abandoned complainant.

3. Based on the said complaint the above said crime case came to be registered by **East Women P S** against the accused persons and it is against this complaint, the petitioners who are arrayed as accused No.1 & 2 in the F.I.R, have preferred this bail petition seeking anticipatory bail on various grounds.

4. In pursuance of the notice issued from this court, the learned Public Prosecutor entered appearance and filed her objections to the said bail petition and prayed to reject the said bail application on various grounds. The petitioners if granted the bail would abscond only to dilate the progress of the investigation and trial. There is every likelihood of the petitioners to threaten the witnesses are some of the

prominent apprehensions raised on behalf of the prosecution amongst other usual grounds.

5. On going through the papers and on hearing the arguments of both the sides, the points that arise for my consideration are:

1. Whether the petitioners have made out sufficient grounds to grant anticipatory bail ?

2. What order?

6. My finding on the above points are as under:

Point No.1: In the **Affirmative**

Point No.2: As per final order,

for the following:

REASONS

7. **Point No.1:** It is the argument of learned counsel for the petitioners that the petitioners are innocent of the offences alleged against them and they have been falsely implicated in the case only to harass them.

8. An attempt is made by the learned counsel for the petitioners to argue that there is strained

marriage relationship between petitioner No.1 and complainant and there is no harassment meted out to the complainant. However there are allegations made against them by wife of petitioner No.1 that would require a thorough investigation and a trial.

9. Further it is his argument that, petitioners are falsely involved and they are permanent residents of Tamil Nadu and Bangalore, hails from respectable family and are ready and willing to abide by any of the conditions that may be imposed by this court in the event they are granted bail.

10. Per contra, learned Public Prosecutor contends that as this is an offence committed against woman involving physical and mental cruelty, the bail application filed by the petitioners is liable to be rejected in so far as it will send a wrong signal to the society and endanger the safety and security of women. Further submitted that petitioners are

absconding since from the date of commission of the offence, if the petitioners are let on bail, they may again abscond, hamper the trial and tamper with the prosecution evidence. Therefore, prays to reject the bail application.

11. In the backdrop of the above said argument and counter argument and on perusal of the records, it can be gathered that this is a dispute arising out of matrimonial relationship, denial of bail to the accused persons may further aggravate the matter and may close all doors of settlement between the parties. Further the offences alleged are though serious in nature, yet the truthfulness of these allegations can be ascertained only at the time of full fledged trial against the petitioners. The offences alleged are triable by the court of Magistrate and are not punishable either with death or imprisonment for life.

12. In the backdrop of the above said argument and counter argument and on perusal of the records, the present complaint is arising out of matrimonial dispute. Further looking to the fact that the petitioner No.1 is the husband and other petitioner is sister-in-law of the complainant, this court opines that they deserve to be enlarged on anticipatory bail and this is more so when they are ready and willing to abide by any of the conditions that may be imposed by this court. Further, the apprehension of the prosecution can be allayed by imposing suitable conditions. Therefore, I answer this point in the **affirmative**.

13. **Point No.2:-** For the reasons discussed and stated supra, I proceed to pass the following:

ORDER

The petition is allowed with conditions.

The petitioners shall be enlarged on bail, in the event of their arrest in **East Women P S, Crime No.41/2026** on they executing personal bond for **Rs. 50,000/-** each with a surety for the like sum to the

satisfaction of the arresting authority subject to the following:

CONDITIONS

1. The petitioners shall not repeat similar kind of offences.
2. They shall furnish proof of their identity and address and shall inform the I.O in case of change of address.
3. They shall not tamper with the evidence and threaten the prosecution witnesses in any manner.
4. They shall cooperate with the investigating officer for the purpose of investigation, as and when required.
5. They shall appear before the investigating officer within 20 days from the date of this order without fail.
6. They shall appear before the court on all the dates of hearing without fail.

*(Typed to my dictation by the Stenographer directly on the computer, corrected by me and then pronounced in open Court on this **the 25th day of April, 2026**)*

(KRISHNAMURTHY J B)

LXXI Addl. City Civil & Sessions Judge
Bengaluru.