

KABC010057262026



IN THE COURT OF XLV ADDL. CITY CIVIL & SESSIONS
JUDGE, BENGALURU CITY (CCH-46)

DATED THIS THE 17th DAY OF MARCH 2026

PRESENT:

SRI. E. RAJEEVA GOWDA, L.L.M.,
XLV ADDL. CITY CIVIL & SESSIONS JUDGE, BENGALURU.

CRL.MISC. 2031/2026

Petitioners	Abhishek Rajashekara Hottegowdar, S/o.Rajashekara Hottegowdara, Aged about 22 years, R/at No.11, 3 rd floor, 7 th Main, Sathyanarayana Layout, Krugubarahalli, Bengaluru-86. Permanent address: No.280, Yallapura village, Karaguppi Post, Hukkeri Taluk, Belgaum district. (By Sri.NMN,Advocate)
	Vs
Respondent	State by Mahalakshmi puram PS, (By the learned Public Prosecutor)

ORDERS ON PETITION FILED U/S.483 OF BHARATIYA
NAGARIK SURAKSHA SANHITA 2023

The advocate for petitioner has filed bail petition U/s.483 of B.N.S 2023 to release her on bail consequent upon her remand to judicial custody in the case registered against her by the respondent Police on the complaint of Sri.Kiran Chandrashekar for the offences punishable U/s.80, 85 of BNS in Crime No.08/2026.

2. The contention of petitioner is that he is innocent of the offences alleged against him and he has been falsely implicated in the above case. He is ready to abide by any conditions imposed by this Court while granting bail. Therefore, the petitioner has prayed for allowing this petition on the following grounds:-

a. At no point of time the petitioner had involved in the alleged crime either directly or indirectly, but he has been falsely implicated by the respondent police.

b. At no point of time this petitioner had harassed the deceased, but due to some depression the deceased might have consumed poison and committed suicide and the complainant knowing this fact has falsely implicated this petitioner.

c. The deceased did not left with any death note regarding the incident, only on the statement of the complainant and the respondent police have colluding each other other registered a false complaint against this petitioner.

d. The complainant is hearsay statement given by the complainant before the respondent police.

e. The petitioner has not committed any offence and the petitioner is in no way connected to the alleged offence.

d. The petitioner is only bread winner of the family and working in billing section at Theo Broma cake shop, Bengaluru.

e. The petitioner is law abiding citizen and he is hailing from a good and cultured family having deep roots in the society.

f. The petitioner is permanent resident and there are no chances of his absconding from the course of justice.

g. The respondent police have foisted a false case against him. He under take that he will not flee way, not to tamper the prosecution witnesses and hamper the investigation and to be regular before the Court on all the dates of hearing.

h. He is ready and willing to furnish sufficient surety to ensure their regular presence.

3. The learned Public Prosecutor has received the notice of this petition and filed objection in detailed reiterating the contents of the complaint and contended that this bail petition is not maintainable in law or on facts of the case. Further contended that there are sufficient

materials to show that the petitioner involved in non bailable offences. The investigation of this case is pending and the custodial interrogation of the petitioner is required. Due to the heinous offence committed by the petitioner by mentally and physically harassing the deceased Aishwarya Chandrashekar for additional dowry, the deceased has committed suicide by consuming poison. Hence, if the petitioner is granted bail then he may involve in causing mental and physical harassment to the complainant and also chance of destroying evidence and hamper the witnesses. Accordingly prayed for reject the petition.

4. The learned counsel for the petitioner has relied on the following citation:

1. Crl.Petn.No.14294/2025 of Hon'ble High Court of Karnataka in case of Praveen Kumar.S.Hiremath V/s. State.

5. Heard the arguments on both sides and perused the materials on record. C.D. submitted by Police. Perused the C.D.

6. The following points that arises for consideration of this Court:

POINT No.1: Whether the petitioner has made out sufficient ground to release him on bail in Cr.No.08/2026 of Mahalakshmpuram police station, at stage as sought for?

POINT No.2: What order?

7. This court has answered the above points are as under:

POINT No.1: **In the Negative**

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

R E A S O N S

8. **Point No.1:** The materials available such as the first information and FIR including the IO report prima facie discloses that the respondent police have registered a case against the petitioner in crime No.08/2026. Admittedly, the case was registered against the petitioner for the offences punishable U/sec.80, 85 of BNS on the complaint of Kiran Chandrashekar.

9. It is alleged that the accused and deceased were loving each other and married. Later the accused was harassing the deceased Aishwarya Chandrashekar mentally and physically for additional dowry, due to which the deceased consumed poison and succumbed to it. Hence, complainant lodged complaint to the concerned police and thereby the petitioner has committed the offences as alleged.

10. The contention of the petitioner is that he is innocent of the offence alleged against him and there is absolutely no case made out against him for the alleged offence, but as pointed out by the learned prosecutor, the respondent police after registering FIR against the petitioner not yet completed the investigation and at this stage, if bail is granted in favour of the petitioner, then he may abscond and also tamper the prosecution witnesses and hamper the investigation and this court do not come to the conclusion that the petitioner is innocent of the alleged offence.

11. It is pertinent to note that even for the sake of argument, it is accepted that there is prima facie case against the petitioners for the offences punishable U/sec 80, 85 of BNS. The offence under Sec.80 of BNS is punishable for imprisonment for a term not less than 7 years, which

may extend to life imprisonment. It is a cognizable, non-bailable offense triable by a Court of Session.

12. Further, as per the materials on record, it is clear that the petitioner is the presently residing at Bengaluru and permanent resident of Belgaum District. The petitioner has produced aadhar card in proof of his residential address. The petitioner has produced copies of the complaint, FIR., remand application. The contentions of the learned Prosecutor is that investigation is not yet completed. The investigation is still under progress. Hence at this stage, if the bail is granted in favour of the petitioner, then he may abscond and also tamper the prosecution witnesses and hamper the investigation, hence at this stage the petitioner is not entitled for bail. At this stage, the contention of petitioner that he is innocent of the offences alleged against him does not stand for consideration. It is not desirable on the part of this Court at this stage to come to the

conclusion that the petitioner is innocent of the offences alleged against him.

13. The learned counsel for the petitioner has argued that petitioner has not committed any offence, he is the only bread winner of the family. The petitioner is law abiding citizen and he is hailing from a good and cultured family having deep roots in the society. The petitioner is ready to abide any conditions imposed by this Hon'ble Court and willing to offer surety for his regular appearance before the Court as and when required by the Court and undertake not to flee from justice. The petitioner is ready and willing to abide by any conditions imposed by this court. Hence, prayed to allow the petition.

14. At this stage, the Court is bound to find out whether there is any prima facie case made out or not. Infact the prosecution papers reveals still I.O. has to collect

vital evidence and documents. The learned Public Prosecutor has argued that the IO has to record statement of other witnesses and collect documents. Hence, at this stage it is not safe to grant bail in favour of petitioner. At this stage, on going through the C.D. and facts of the case and also in law, the petitioner has committed heinous offence of mentally and physically harassing the deceased Aishwarya Chandrashekar for additional dowry, due to which deceased committed suicide by consuming poison. Even the petitioner is permanent resident of Belgaum and if petitioner is granted bail he may abscond and tamper the investigation. Hence, the petitioner has failed to make out any ground for his release on bail as sought for. Hence, this court answer Point No.1 in the **Negative**.

15. **Point No.2:** In view of answer of this Court on Point No.1, this court to pass the following:

O R D E R

The bail petition filed by the petitioners
U/s.483 of BNSS., is hereby rejected.

(Typed to my dictation by the Stenographer
directly on Computer, corrected by me and then
pronounced in open Court on this the 17th day of
March, 2026)

(E. RAJEEVA GOWDA)
XLV ADDL. CC & SJ, BENGALURU