



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE S RACHAIAH

CRIMINAL PETITION NO. 2879 OF 2026 (439(Cr.PC) /

483(BNSS))

BETWEEN:

SOMASHEKHAR S Y

S/O YOGESHA,

AGED ABOUT 39 YEARS,

R/AT, SINDHUVALLI VILLAGE,

PALYA HOBLI, ALUR TALUK,

HASSAN DISTRICT-34

...PETITIONER

(BY SRI. PRATHEEP.K.C.,ADVOCATE)

AND:

THE STATE OF KARNATAKA

REP. BY ALUR POLICE

Digitally
signed by
NARAYANA
UMA

Location:
High Court
of
Karnataka



HASSAN DISTRICT
REPRESENTED BY ITS
STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BENGALURU - 560 001.

...RESPONDENT

(BY SMT.ANITHA GIRISH N.,HCGP)

THIS CRL.P FILED U/S 439 CR.PC (FILED U/S 483 BNSS)
PRAYING TO ALLOW THIS PETITION AND ENLARGE THE
PETITIONER ON BAIL IN CR.NO.11/2026 REGISTERED BY ALUR
POLICE PENDING ON THE FILE OF PRL.CIVIL JUDGE (JR.DN)
AND J.M.F.C COURT ALUR, HASSAN DISTRICT FOR THE
OFFENCE P/U/S 109,352,351(2) OF BNS IN THE INTEREST OF
JUSTICE AND EQUITY.

THIS CRL.P, COMING ON FOR ORDERS, THIS DAY, AND
ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE S RACHAIAH



ORAL ORDER

1. The petitioner is arraigned as the sole accused seeking a grant of regular bail in Crime No.11/2026 of the respondent police, pending on the file of Prl. Civil Judge (Jr.Dn.) and JMFC Court, Alur, Hassan District, for the offences under Sections 109, 352, 351(2) of the Bharatiya Nyaya Sanhita, 2023 (for short, 'BNS').

Brief facts of the case:

2. The case of the prosecution is that on 16.01.2026 at about 12.05 p.m. the nephew of the complainant forcefully entered the land bearing Sy.No.18, measuring 5 acres 10 guntas situated at Nallur Village, a resident of Sinduvalli Village, and started ploughing the said land with a tractor. When Kiran, son of the complainant and Chandru, brother of the complainant, objected Somashekhara for having forcibly ploughed the said land, Somashekhara picked up a quarrel with Kiran and caused a life threat to him. The said Kiran started to record a video of ploughing the land by Somashekara through his mobile phone. The petitioner took a long chopper from its tractor with the intention to commit murder of the said person



and assaulted him on the neck and also other parts of the body and caused grievous and simple injuries. Immediately, the said injured person was shifted to the hospital for treatment, and he was hospitalised for a period of more than fifteen days. As per the assessment made by the doctor about the injuries, there are as many as six injuries found on the body of the injured. Out of them, three injuries are grievous in nature, and the remaining are simple in nature.

3. Based on the complaint, the respondent-police registered a case in Crime No.11/2026 against the petitioner. The investigation is in progress.

4. Heard Sri. Pratheep K.C., learned counsel for the petitioner and Smt. Anitha Girish, learned High Court Government Pleader for respondent - State.

5. It is the submission of the learned counsel for the petitioner that the petitioner is innocent of the alleged offence and he has been falsely implicated in this case. There was a civil dispute between the complainant and the petitioner. The petitioner was ploughing his land using a tractor. The injured



and the brother of the complainant had been to the land and obstructed the petitioner from ploughing, and started quarrelling with him. As a result of this, the incident occurred. However, the petitioner had no intention to commit either murder or cause injuries. In fact, the petitioner was alone in the said land. On the other hand, three persons had been to the said land, due to fear and also for self-protection, and the incident had occurred. The injured has been discharged from the hospital. He further submits that the petitioner is aged about 39 years and is a permanent resident of Alur Taluk, Hassan District. He will abide by the condition imposed by this Court in the event of his release on bail. Making such submissions, he prays to allow the petition.

6. *Per contra*, learned High Court Government Pleader for respondent - State vehemently opposed the grant of bail, and he has made available a wound certificate. On perusal of the same, it would indicate that the injured had sustained seven injuries. The manner in which the petitioner had assaulted and inflicted injuries would indicate its seriousness. Injury No.1 is two deep lacerated wounds over the neck



extending to the base of the skull with cervical spine injury. This injury would indicate the gravity thereon. Therefore, it is not appropriate to grant him bail. If the petitioner is enlarged on bail, there may be a chance of committing a similar offence and also threatening the prosecution's witness. Making such submissions, learned HCGP prays to reject the petition.

7. Having heard learned counsel for the respective parties and on perusal of the averments of the complaint, it appears that a civil dispute existed between the complainant and the petitioner. The petitioner was ploughing his land using a tractor. The complainant's son and brother had gone to the said land and obstructed him from ploughing the said land. There was verbal abuse exchanged between them. Thereafter, it is alleged that the petitioner started to record the video of ploughing. In the said scuffle, it is alleged that the petitioner had assaulted with a long chopper and caused injuries.

8. Be that as it may, on going through the wound certificate as well as a discharge summary, it appears that the injured is out of danger. Considering the nature and gravity of



the offence, I am of the considered opinion that the petitioner has made out a case to grant him bail. Hence, I proceed to pass the following:

ORDER

(i) The petition is ***allowed.***

(ii) The petitioner is ordered to be enlarged on bail in Crime No.11/2026 of respondent-police pending on the file of Prl. Civil Judge (Jr.Dn.) and JMFC Court, Alur, Hassan District, for the aforesaid offences on executing personal bond in a sum of Rs.1,00,000/- (Rupees One Lakh only) with one surety for the like sum to the satisfaction of the Trial Court.

(iii) The petitioner shall not threaten or tamper with the prosecution witnesses nor hamper the proceedings of the Court.

(iv) The petitioner shall appear before the Trial Court on all hearing dates without fail.

(v) The petitioner shall not be involved in any criminal cases till disposal of the case.



NC: 2026:KHC:16250
CRL.P No. 2879 of 2026

In case the petitioner violates any of the bail conditions as stated above, liberty is reserved to the prosecution to file a necessary application for cancellation of bail.

Sd/-
(S RACHAIAH)
JUDGE

JS
List No.: 1 Sl No.: 53