



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. 3083 OF 2026

(439(Cr.PC) / 483(BNSS))

BETWEEN:

1. M RAVI
S/O MUNIYAPPA
AGED ABOUT 55 YEARS
R/AT D.NO.21,
MARUTI BADAVANE,
HUNSUR.

...PETITIONER

(BY SRI. SANDEEP K., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
BY HUNSUR TOWN
POLICE STATION,

Digitally
signed by
SREEDHARAN
BANGALORE
SUSHMA
LAKSHMI
Location: High
Court of
Karnataka



HUNSUR TALUK, MYSURU DIST
REP. BY
SPP HIGH COURT
BENGALURU – 01

...RESPONDENT

(BY SMT. ANITHA GIRISH N., HCGP)

THIS CRL.P FILED U/S 439 CR.PC (FILED U/S 483 BNNS)
BY THE ADVOCATE FOR THE PETITIONER/ACCUSED NO.1
PRAYING THAT THIS HONOURABLE COURT MAY BE PLEASED
TO ENLARGE HIM ON REGULAR BAIL IN CRIME NO.33/2026
REGISTERED BY RESPONDENT, HUNSUR TOWN POLICE FOR
THE OFFENCE P/U/S 352, 109, 115(2) R/W 3(5) OF BNS 2023
PENDING ON THE FILE OF THE PRL. CIVIL JUDGE (SR.DN) AND
JMFC AT HUNSUR BY IMPOSING NECESSARY CONDITIONS IN
THE INTEREST OF JUSTICE.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY,
ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE S RACHAIAH



ORAL ORDER

1. The petitioner - accused No.1 is before this Court seeking for grant of regular bail in Crime No.33/2026 registered by the respondent-police for the offences punishable under Sections 352, 109, 115(2) r/w. Section 3(5) of the Bharatiya Nyaya Sanhita, 2023.

Brief facts of the case:

2. The case of the prosecution is that, a complaint came to be registered by the complainant stating that, he is the resident of Hunsur town, Mysuru and lives with his family members. On 01.02.2026, around 08.00 a.m., he was proceeding to another person's land to clear debris in the said land, carrying a long machete that was kept under the foot mat of the scooter. At that time, his daughter Deepika asked him to drop her at the bus stand to go to Mysuru. After dropping his daughter near the Hunsuru bus stand, around 08.30 a.m., when he was proceeding near Lakshmivilasa Circle, at that time, he saw his younger brother Ravi was standing near Lakshmivilasa Circle. The complainant stopped his scooter and asked his



brother as to why he was telling lie that he had won the case filed before the Principal Civil Judge and JMFC, Hunsur, in respect of the property measuring 03 acres 23 guntas. At that time, the quarrel had taken place between the brothers. The petitioner called another brother, Ravikumar, to the place and started quarrelling with the complainant. It is alleged that, in the said scuffle, the petitioner took the long machete which was kept under the foot mat of the scooter belonging to the complainant and assaulted the complainant with the said machete. The complainant had sustained severe injuries to his hands and thereafter, he was admitted to hospital and lodged a complaint against the brothers. Based on the statement given by the injured, FIR has been registered against the petitioner and another for the offences stated supra.

3. Heard Mr. Sandeep K., learned counsel for the petitioner and Mrs. Anitha Girish N., learned High Court Government Pleader for respondent - State.



4. The submission of the learned counsel for the petitioner is that the petitioner is innocent of the alleged offence. In fact, the complainant, with an intention to cause injuries or commit murder of the petitioner, had brought the machete along with him and started abusing the petitioner and also tried to assault him. In the said scuffle, the injured had sustained injuries to his hands. The petitioner had no intention to commit either murder or cause injury to the complainant.
5. It is further submitted that, in fact, a civil dispute which existed between the petitioner and the complainant, which was pending before the learned Principal Civil judge and JMFC, Hunsur, in Original Suit No.359/2019 filed by the complainant, came to be dismissed as withdrawn with a liberty to file a fresh suit. The petitioner is the earning member of the family. He is aged about 55 years and he will abide the conditions imposed by this Court in the event of his release on bail. Making such submissions, learned counsel for the petitioner prays to allow the petition.



6. *Per contra*, learned High Court Government Pleader vehemently submitted that the petitioner, who is the younger brother and another brother have assaulted the complainant, who is their elder brother and the complainant has suffered severe injuries. A dispute existed between the brothers in respect of land measuring 3 acres and 23 guntas. If the petitioner is enlarged on bail, there may be chances of committing similar offence or threatening the prosecution witnesses. Hence, it is not appropriate to grant him bail. Making such submissions, learned High Court Government Pleader prays to reject the petition.
7. Having heard the learned counsel for the respective parties and on perusal of the averments of the complaint and other materials on record, it appears from the record that the petitioner is none other than the younger brother of the complainant. In fact, the complainant had filed a suit before the learned Principal Civil Judge and JMFC, Hunsur, in Original Suit No.359/2019. On 27.02.2024, the suit came to be dismissed as withdrawn with liberty



to file fresh suit. The incident allegedly took place on 01.02.2026. However, on going through the averments of the complaint, I am of the considered opinion that the petitioner has made out a case for grant of bail. It is needless to state that the merit of the case need not be mentioned while considering the bail application.

8. 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.33/2026 of respondent-police for the offences stated *supra*, on executing personal bond in a sum of Rs.1,00,000/- (Rupees One Lakh only) with one surety for the likesum to the satisfaction of the Trial Court.
- (iii) The petitioner shall not threaten or tamper 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 involve in any criminal cases till disposal of the case.

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

Sd/-
(S RACHAIAH)
JUDGE