



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

**CRIMINAL PETITION No.14875 OF 2025 (438(Cr.PC) /
482(BNSS))**

BETWEEN:

1. RISHI K N
S/O NARAYAN
AGED ABOUT 50 YEARS,
NO.246, 43RD CROSS,
JAYANAGAR
BENGALURU-560 041
2. SAHITHYASHREE
W/O RISHI K N
AGED ABOUT 48 YEARS,
NO.246, 43RD CROSS,
JAYANAGAR
BENGALURU-560 041
BOTH ARE PERMANENT RESIDENTS OF
KALLUSHETTIHALLI VILLAGE,
MADIHALLI HOBLI,
BELURU TALUK
HASSAN DISTRICT-573 216

...PETITIONERS

(BY SRI. SRINIVASA.,ADVOCATE)

AND:

STATE BY BELUR POLICE STATION
REPRESENTED BY STATE PUBLIC PROSECUTOR,
HIGH COURT COMPLEX BUILDING,
BENGALURU-560001

...RESPONDENT

(BY SRI MOHD. AYUB ALI, ADDL.SPP)





THIS CRL.P IS FILED UNDER SECTION 438 CR.P.C. (FILED UNDER SECTION 482 BNNS) PRAYING TO GRANT ANTICIPATORY BAIL IN CC.NO.40/2025 ARISING OUT OF CR.NO.0115/2024 FOR THE OFFENCES PUNISHABLE UNDER SECTIONS 323, 354, 327, 506 AND 34 OF IPC, WHICH IS NOW PENDING ON THE FILE OF THE SENIOR CIVIL JUDGE AND JMFC, AT BELUR, HASSAN AND THE PETITIONERS ARE SHOWN AS ACCUSED NO.1 AND 2 IN THE CHARGE SHEET AND DIRECT THE RESPONDENT POLICE TO RELEASE THEM ANTICIPATORY BAIL IN THE EVENT OF THEIR ARREST IN CC.NO.40/2025 (CR.NO.0115/2024) BELUR P.S.

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

CORAM: HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

ORAL ORDER

1. This petition is paid by accused Nos. 1 and 2 under Section 482 of BNSS praying to grant anticipatory bail in C.C. No. 40/2025 arising out of Crime No. 115/2024 pending on the file of Senior Civil Judge and JMFC, Belur registered for offence under Sections 323, 354, 327, 506 and 34 IPC.

2. Heard learned counsel for petitioners and learned Additional SPP for respondent - State.

3. Learned counsel for petitioners contends that investigation is over and charge sheet has been filed. As NBW has been issued, petitioner No. 2 apprehends her arrest.



Summons issued to petitioner No. 1 has not been served and summons issued to petitioner No. 2 has been served, but she has not appeared before the trial Court and therefore NBW has been issued against her. The offence alleged against the petitioners are not punishable with death or imprisonment for life. In the chargesheet there is no mention that petitioners are absconding and that indicate that petitioners have cooperated for investigation. There are no criminal antecedents of the petitioners. Petitioner No. 2 is a woman. With this, he prayed to allow the petition.

4. Per contra learned Additional SPP would contend that petitioner No. 2, inspite of service of summons, has not appeared before the trial Court and NBW has been issued against her. Chargesheet will show a prima facie case against the petitioners for the offence alleged against them. With this, he prayed to reject the petition.

5. Having heard learned counsel for the parties the Court has perused the chargesheet and other materials placed on record.

6. As per chargesheet, the accusation against the petitioners is that on 22.04.2024 between 02.30 to 03.00 p.m.



C.W.1 saw accused Nos. 1 and 2 entered her land and abused her in filthy words. Accused Nos. 1 and 2 have held the clothes of C.W.1 and pulled it. In that quarrel 40 gms golden chain of C.W.1 has been lost.

7. In the chargesheet, petitioners have not been shown as absconding. The trial Court on receipt of chargesheet registered a case, took cognizance and issued summons to the petitioners. Summons issued to petitioner No. 2 has been served on her, she remained absent and NBW has been issued against her. Summons issued to petitioner No. 1 has not been served and it has been re-issued. Merely because NBW has been issued is not a ground to reject the prayer of petitioners for grant of anticipatory bail. Petitioners have undertaken to appear before the trial Court and abide any conditions to be imposed by this Court. The offences alleged against the petitioners are not punishable either with death or imprisonment for life.

8. Considering the above aspects, the petitioners have made out a case for grant of anticipatory bail with conditions.

In the result, the following;



ORDER

Petition is allowed. Petitioners are ordered to be released on bail in the event of their arrest in Crime No. 115/2024 pending on the file of Senior Civil Judge and JMFC, Belur, subject to following conditions.

- I. Petitioners shall voluntarily appear before the trial Court within 15 days from this day and execute bail bond for a sum of Rs.1,00,000/- each with one surety for the likesum to the satisfaction of the trial Court.
- II. Petitioners shall not tamper the prosecution witnesses either directly or indirectly.
- III. Petitioners shall attend the trial Court on all dates of hearing unless exempted and cooperate for speedy disposal of the case.

**Sd/-
(SHIVASHANKAR AMARANNAVAR)
JUDGE**

LRS
List No.: 1 Sl No.: 40