



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

CRIMINAL PETITION NO. 15983 OF 2025
[(439(Cr.PC) / 483(BNSS))]

BETWEEN:

ERAPPA @ H.M. ERAPPA
S/O. LATE MARIGOWDA,
AGED ABOUT 45 YEARS,
R/O. HITNAHALLI KOPPALU VILLAGE,
MALAVALLI TALUK,
MANDYA DISTRICT - 571 430.

...PETITIONER

(BY SRI. P.P. HEGDE, SENIOR COUNSEL FOR
SRI. G.M. SHARATHKUMAR, ADVOCATE)

AND:

STATE BY BANNUR P.S.
T. NARASIPURA,
MYSURU DISTRICT.

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

...RESPONDENT

(BY SRI. MOHD. AYUB ALI, ADDITIONAL SPP;
SRI. ANIL BABU C., ADVOCATE FOR DEFACTO
COMPLAINANT)

THIS CRL.P IS FILED UNDER SECTION 439 CR.PC (FILED
UNDER SECTION 483 BNSS) PRAYING TO ENLARGE THE





PETITIONER ON REGULAR BAIL IN S.C.NO.210/2025 ON THE FILE OF THE VII ADDITIONAL SESSIONS JUDGE, MYSURU ARISING OUT OF CRIME NO.93/ 2025 REGISTERED BY BANNUR POLICE STATION, T.NARASIPURA, FOR OFFENCES PUNISHABLE UNDER SECTIONS 329(4), 109, 118(1), 351(2), 351(3) AND 115(2) OF BNS.

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

CORAM: HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

ORAL ORDER

This petition is filed by sole accused under Section 483 of Bharatiya Nagrika Suraksha Sanhita, 2023 praying to grant bail in S.C.No.210/2025 (arising out of Crime No.93/2025 of Bannur Police Station) pending on the file of VII Additional Sessions Judge, Mysuru, registered for offences punishable under Sections 329(4), 109, 118(1), 351(2), 351(3) and 115(2) of Bharatiya Nyaya Sanhita, 2023.

2. Heard learned Senior Counsel for petitioner and learned Additional State Public Prosecutor for respondent -



State who is assisted by the learned counsel for defacto complainant.

3. Learned Senior Counsel for petitioner would contend that, there are three injured persons namely C.W.1, C.W.2 and C.W.3. C.W.1 has sustained two simple injures, C.W.2 has sustained four simple injuries and C.W.3 has sustained one simple injury. All the injured are out of danger. There is a Civil dispute. The petitioner is in judicial custody since 12.05.2025. As the charge sheet is filed, the petitioner is not required for custodial interrogation. There are no criminal antecedents of the petitioner. With these, he prayed for allow the petition.

4. Per contra, learned Additional State Public Prosecutor for respondent who is assisted by learned counsel for defacto complainant would contend that, in the incident, C.W.1 to C.W.3 have sustained injuries. C.W.4 and CW.5 are eye witnesses to the incident who have specifically stated the acts of this petitioner assaulting



C.W.1 and C.W.2. The petitioner has assaulted C.W.1 with knife on neck causing cut lacerated wound itself indicates the intention of the petitioner to commit his murder. The knife has been fallen on the spot and on examination it was found to be blood stained. The dispute is with regard to landed property. The suit filed by the defacto complainant has been decreed and the petitioner has violated the said decree and in the execution case, he has been ordered to undergo civil imprisonment. The petitioner who is in judicial custody has given supari to his two brothers and they have assaulted the defacto complainant on 10.01.2026 and a case has been registered in Crime No.7/2026 wherein the petitioner has been arrayed as accused No.3. The defacto complainant in the said incident has taken place on 10.01.2026 as suffered multiple fractures in his left leg and admitted in hospital on 10.01.2026 and discharged on 31.01.2026. Even prior to the present incident, they were complaints against this petitioner as he used to quarrel with the defacto



complainant and used to threaten him. The charge sheet materials show *prima-facie* case against the petitioner for offences alleged against him. If the petitioner is granted bail, there is threat to the defacto complainant and other prosecution witnesses. With these, he prayed for dismissal of the petition.

5. Having heard the learned counsels appearing for parties, the Court has perused the charge sheet and other materials placed on record.

6. As per charge sheet, the case of the prosecution is that, the petitioner has alleged that the defacto complainant has purchased the property by playing fraud and keeping it as a grudge and in order to kill the defacto complainant and his family members on 11.05.2025 at about 2.00 a.m. i.e., in the midnight went on the bike wearing helmet taking chilli powder and knife and entered courtyard of the house of the defacto complainant and C.W.2 the younger brother of the defacto



complainant was sleeping covering with a blanket and he pulled it and C.W.2 got up, he threw chilli powder and assaulted him with knife on his neck and when he raised a hue and cry and at that time, the defacto complainant was sleeping on the other side and C.W.3 held the petitioner and removed his helmet and saw him. At that time, the accused threatened C.W.1 and C.W.3 to finish them and assaulted with knife on right hand, left ankle and both knees of C.W.2 with knife and caused injuries and at that time, C.W.1 and C.W.2 were pushed by the petitioner and the coconut stem fell on C.W.3 and caused injury on his eyebrow and head.

7. The wound certificate of C.W.2 indicates that he has sustained four cut lacerated wound, one on his neck and second one on his wrist, third one on his forearm and fourth one on his legs. The said injuries are opined to be simple in nature. The photographs of C.W.2 produced by the defacto complainant shows that there is cut lacerated wound on the left side of neck of C.W.2. The weapon used



is knife and it is a deadly weapon. The part of assault is neck and it is a vital part. The offence alleged against the petitioner under Section 109 of BNS is provided with sentence of imprisonment which may extend to imprisonment for life. Considering the charge sheet materials, there is a *prima-facie* case against the petitioner for offences alleged against him.

8. Considering all the above aspects, the petitioner has not made out any grounds for grant of bail. In the result, the Criminal Petition is ***dismissed***.

Sd/-
(SHIVASHANKAR AMARANNAVAR)
JUDGE