



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 4TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE V.SRISHANANDA

CRIMINAL PETITION NO. 100006 OF 2026

(438(CR.PC)/482(BNSS))

BETWEEN:

SADASHIV S/O. RAMANNA YAMMENNAVER
AGE 42 YEARS, OCC. AGRICULTURE,
R/O. CHIKKALAKI, TQ. JAMKHANDI,
DIST BAGALKOT 586 113.

...PETITIONER

(BY SRI. MAHANTESH R. PATIL, ADVOCATE)

AND:

THE STATE OF KARNATAKA,
THROUGH SAVALAGI POLICE STATION,
REPRESENTED BY SPECIAL PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
DHARWAD BENCH AT DHARWAD 580002.

...RESPONDENT

(BY SRI. P.N. HATTI, HCGP)



THIS CRIMINAL PETITION IS FILED UNDER SECTION 438 OF CR.P.C. (U/S. 482 OF BNSS, 2023) PRAYING TO ENLARGE THE PETITIONER/ACCUSED NO. 1 ON ANTICIPATORY BAIL IN SAVALAGI P.S. CRIME NO. 181/2025 FOR THE OFFENCE P/U/SEC. 126(2), 115(2), 118(1), 352, 351(1) OF BNS, PENDING ON THE FILE OF PRL. CIVIL JUDGE AND JMFC COURT JAMKHANDI, IN THE INTEREST OF JUSTICE.



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

ORAL ORDER

(PER: THE HON'BLE MR. JUSTICE V.SRISHANANDA)

1. Heard Sri. Mahantesh R. Patil, learned counsel for the petitioner and Sri. P. N. Hatti, learned High Court Government Pleader for respondent-State.

2. Petitioner is alleged to have committed offences punishable under Sections 126(2), 115(2), 118(1), 352 and 351(1) of Bharatiya Nyaya Sanhita, 2023, has filed this petition with the following prayer:

"Wherefore, it is most humbly prayed that, this Hon'ble Court be pleased enlarge the petitioner/accused No.1 on anticipatory bail in Savalagi P.S. Crime No.181/2025 for the offences punishable Under Section 126(2), 115(2), 118(1), 352, 351(1) of Bharatiya Nyaya Sanhita, 2023 pending on the file of Prl. Civil Judge and JMFC Court, Jamkhandi, in the interest of justice and equity."



3. The incident is occurred on 23.11.2025, between 09.29 p.m. and 9.30 p.m., when the injured was proceeding on his motorcycle through agricultural land.

4. The motive for the incident, as stated in the complaint averments, is that there was an improper partition of property, on account of which a rift had arisen between the petitioner and the accused.

5. On the day of incident, the petitioner said to have taken advantage of the loneliness of the injured who was proceeding on motorcycle restrained him from free movement and thereafter, assaulted on the right thumb of the injured with the help of an axe and assaulted on other parts of the body.

6. The injured has suffered simple injury and he has been rescued by his brother and son-in-law and sent to the Sanadi Hospital, Jamakhandi for treatment.



7. From the date of commission of the offence, petitioner is not available for investigation.

8. Attempt made by the petitioner to obtain an order of anticipatory bail is turned down by the learned District Judge. Thereafter, the petitioner is before this Court.

9. Learned counsel for the petitioner would contend that a trivial incident has been blown out of proportion and a false complaint has been filed against the petitioner. Therefore, he sought for allowing of the petition.

10. *Per contra*, learned High Court Government Pleader for respondent-State opposes the bail ground by contending that the petitioner has used the axe to assault the injured, which shows that he had every intention to take away the life of the injured and it is a missed opportunity so far as the injured is concerned and sought for rejection of the petition.



11. Having heard the arguments of both sides, this Court perused the material on record meticulously.

12. On such perusal of the material on record, it is noted that there was a previous enmity between the parties on account of improper partitioning of the property and portion of the property that has fallen to the share of the complainant is not a usable property and therefore, it was treated as corrupt land and some additional property was given to compensate the same.

13. Whether at all, the petitioner had intention to commit the grave offence or not cannot be decided by this Court at this stage by holding a mini trial.

14. Admittedly, the petitioner is not available for investigation and investigation has crippled.

15. Accordingly, directing the petitioner to join the investigation and co-operate with the Investigation Officer



would meet the ends of justice including the limited custodial interrogation.

16. Hence, the following:

ORDER

- (i) The petition is ***allowed***.
- (ii) Petitioner is directed to join the investigation by appearing before the Investigation Officer on ***16.02.2026*** at 10.00 a.m.
- (iii) Investigation Officer is at liberty to take him to custody and conclude the custodial interrogation on the same day before 06.00 p.m. and thereafter, enlarged the petitioner on bail by taking a bond in a sum of Rs.50,000/- with one surety for the like sum to the satisfaction of the Investigation Officer.



- (iv) Petitioner shall co-operate for the investigation in all respects.
- (v) Petitioner shall not threaten the prosecution witnesses in any manner.
- (vi) Petitioner shall attend the Court regularly.
- (vii) Petitioner shall mark his attendance before the Investigation Officer between 10.00 a.m. to 02.00 p.m. on every third Sunday till filing of the final report.
- (viii) Petitioner shall not leave the jurisdiction of Bagalkote District without prior permission.

Violation of any one of the conditions would entitle the prosecution to seek for cancellation of bail.

Sd/-
(V.SRISHANANDA)
JUDGE

SMM CT:CMU
LIST NO.: 1 SL NO.: 14