



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 23RD DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE G BASAVARAJA

CRIMINAL PETITION NO. 200432 OF 2026

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

BETWEEN:

1. TAMMANNA
S/O DYAVAPPA MUSALERA
AGE: 46 YEARS
OCC: COOLIE
2. SHIVAPPA
S/O RAMAPPA MUSALERA
AGE: 26 YEARS
OCC: COOLIE
3. TIRUPATI S/O HANAMAYYA MUSALERA
AGE: 45 YEARS
OCC: COOLIE

ALL R/O HEMANUR VILLAGE,
TQ: SHORAPUR,
DISTRICT YADGIR-585202

...PETITIONERS

(BY SRI. SANJAY A. PATIL, ADVOCATE)

AND:

THE STATE OF KARNATAKA
THROUGH SHORAPUR POLICE STATION
SHORAPUR SUB-DIVISION CIRCLE
DISTRICT: YADGIR-585201

Digitally signed
by RAMESH
MATHAPATI
Location: HIGH
COURT OF
KARNATAKA



REPRESENTED BY ADDL. SPP
HIGH COURT OF KARNATAKA
KALABURAGI BENCH

...RESPONDENT

(BY SRI. JAMADAR SHAHABUDDIN, HCGP)

THIS CRL.P IS FILED U/S. 438 OF CR.P.C (OLD), U/S. 482 OF BNSS (NEW), PRAYING TO ALLOW THE PETITION THEREBY DIRECTING THE RESPONDENT POLICE/SHORAPUR POLICE STATION, DISTRICT YADGIR TO RELEASE THE PETITIONERS/ACCUSED NO.1, 2 AND 5 RESPECTIVELY ON, ANTICIPATORY BAIL IN THE EVENT OF THEIR ARREST IN CONNECTION WITH CRIME NO.2/2024 CHARGE SHEETED FOR THE OFFENCES PUNISHABLE U/SEC.143, 147, 148, 323, 324, 326, 504, 506 R/W 149 OF IPC (C.C NO.652/2024 ON THE FILE OF PRL. CIVIL JUDGE AND JMFC SHORAPUR, DISTRICT YADGIR).

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

CORAM: HON'BLE MR. JUSTICE G BASAVARAJA

ORAL ORDER

This petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS, 2023') by the petitioners/accused Nos.1, 2 and 5 for grant of anticipatory bail in Crime No.2/2024 registered by Shorapur Police Station, Yadgir District, for the offences punishable under Sections 143, 147, 148, 323, 324, 326, 307, 504 and 506 read with Section 149 of IPC.



2. The complainant lodged a complaint before the respondent-police, which was registered in Crime No.2/2024 against accused Nos.1 to 5 for the aforementioned offences. After investigation, the Investigating Officer has submitted charge-sheet against the accused for the offences punishable under Sections 143, 147, 148, 323, 324, 326, 504, 506 read with Section 149 of IPC and has dropped the provision of Section 307 of IPC.

3. Heard learned counsel for the petitioners so also learned High Court Government Pleader for respondent-State.

4. Learned counsel for the petitioners contended that, ever since the registration of FIR, the respondent-police are making hectic attempt to arrest the petitioners. It is submitted that, on 06.01.2024 the Trial Court has granted bail accused Nos.3 and 4. As such, the petitioners/accused also approached the II-Addl. Dist & Sessions Court, Yadgir, Sitting at Shorapur, for grant of



anticipatory bail in Crl.Misc.No.5112/2025, which was rejected by order dated 04.12.2025. He further contended that, the investigation is already completed and charge-sheet is filed. The accused are not required for further investigation. Accordingly, he prays to allow the petition.

5. *Per contra*, learned High Court Government Pleader opposed to the bail petition.

6. I have given my anxious consideration on the submissions made by the learned counsel for the respective parties and documents available on record.

7. As could be gathered from records, the investigation is already completed and charge-sheet has been filed, and the accused are not required for further investigation. The alleged commission of offences are exclusively triable by the Court of Magistrate. Considering the nature and gravity of offences, and previous antecedents of petitioners, without expressing any opinion on the merits of the case, suffice it to hold that the



petitioners/accused Nos.1, 2 and 5 are entitled for anticipatory bail. Accordingly, I proceed to pass the following:

ORDER

- (i) The Criminal Petition is ***allowed***.
- (ii) The respondent - Police are directed to release the petitioners/accused Nos.1, 2 and 5 on bail in the event of their arrest in Crime No.2/2024 registered by Shorapur Police Station, Yadgir, subject to the following conditions:
 - a) The Petitioners-accused Nos.1, 2 and 5 shall appear before the Investigating Officer within 15 days from the date of receipt of a copy of this order and shall execute a personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) each with one surety each for the likesum



to the satisfaction of the Investigating Officer;

- b) Petitioners shall regularly appear before the Trial Court without fail unless exempted by the Trial Court for valid reasons;
- c) Petitioners shall not tamper with the prosecution witness and they shall co-operate with the police for investigation and appear before them whenever called upon;
- d) Petitioners shall not involve in similar offences in future.

Sd/-
(G BASAVARAJA)
JUDGE

SDU
LIST NO.: 1 SL NO.: 17
CT:BH