



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 31ST DAY OF DECEMBER, 2024

BEFORE

THE HON'BLE MR JUSTICE HEMANT CHANDANGOUDAR

CRIMINAL PETITION NO. 13840 OF 2024

BETWEEN:

1. SRI. VINOD,
S/O GURAPPA BHANGOOR,
AGED ABOUT 20 YEARS,
R/AT SINDAGI, GULBARGA DISTRICT,
KARNATAKA - 585 130.
2. SRI. KIRAN,
S/O KRSHAVA REDDY,
AGED ABOUT 20 YEARS,
R/AT NO. 12, NEAR SAINT JOHNS HOSPITAL,
MADIVALA, BANGALORE - 560 068.

...PETITIONERS

(BY SRI. AMBARISHA N, ADVOCATE)

AND:

STATE OF KARNATAKA
BY MADIVALA POLICE STATION,
REPRESENTED BY SPP,
HIGH COURT OF KARNATAKA,
BANGALORE - 560 001.

...RESPONDENT

(BY SRI. DIVAKAR MADDUR, HCGP)

THIS CRL.P IS FILED U/S 438 OF CR.P.C (U/S 482 BNSS)
PRAYING TO GRANT ANTICIPATORY BAIL TO THE PETITIONERS IN
FIR CR.NO.373/2024 REGISTERED BY THE MADIVALA P.S., FOR
THE OFFENCES P/U/S 126(2), 115(2), 118(1), 109, 189(2), 189(4), 190
OF BNS, PENDING ON THE FILE OF 39th ACMM COURT AT
BENGALURU, BY IMPOSING ANY CONDITIONS FOR THEIR
RELEASE IN THE EVENT OF THEIR ARREST.



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

CORAM: HON'BLE MR JUSTICE HEMANT CHANDANGOUDAR

ORAL ORDER

This petition under Section 482 of the Bharatiya Nyaya Sanhita (BNS), 2023, is filed by the petitioners, Accused Nos. 2 and 5, seeking anticipatory bail in connection with an investigation for offenses punishable under Sections 126(2), 115(2), 118(1), 109, 189(2), 189(4), and 190 of the BNS, 2023.

2. Heard the learned counsel for the petitioners and the learned High Court Government Pleader (HCGP) for the State.

3. The prosecution alleges that on 24.11.2024, at about 12:30 a.m., while the complainant was near Madivala Market and heading toward a public toilet, Accused No. 1, Raghu @ Raghavendra, and others suddenly assaulted the complainant on the left side of his face. The complainant then informed Ranjit over the phone, and Ranjit, along with his friend Salman, arrived at the spot. At that point, Accused No. 1 and his 5 to 7 associates allegedly assaulted the complainant again.

4. The prosecution further alleges that Ranjit sustained injuries to his head and hand, while Salman was assaulted with clubs and iron rods, resulting in injuries to his head and back. The assaults were allegedly carried out with the intention to commit murder.



5. It is noted that there is no specific allegation of assault against Petitioner No. 1 (Accused No. 2) in the FIR. Similarly, there is no mention of Accused No. 5 in the FIR, although his name has been included in the remand application. The allegations of assault are specifically directed at other accused persons and not against the present petitioners.

6. Given the lack of specific allegations against the petitioners (Accused Nos. 2 and 5) in both the FIR and the prosecution's case, and considering that their alleged involvement appears limited to their association with other accused persons, the petitioners have established a *prima facie* case for the grant of anticipatory bail.

7. In the light of the above, the petitioners established a *prima facie* case for enlarging them on bail. Accordingly, petition is **allowed**. The petitioners - accused Nos.2 and 5 are enlarged on bail in the event of their arrest in Crime No.373/2024 registered by the Madivala police station, Bengaluru for the offence punishable under Sections 126(2), 115(2), 118(1), 109, 189(2), 189(4) and 190 of the Bharatiya Nyaya Sanhita (BNS), 2023 on the file of 39th Addl. CMM Court, Nrupatunga Road, Bengaluru City, subject to the following conditions:

- (i) Petitioners are ordered to be enlarged on bail in the event of their arrest in Crime No.373/2024 registered against them by Madivala Police Station for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 189(2), 189(4) and 190 of the Bharatiya



Nyaya Sanhita (BNS), 2023 by furnishing a bond for a sum of Rs.1,00,000/- (Rupees One Lakh only);

(ii) They shall co-operate with the Investigating Officer for the purpose of investigation;

(iii) They shall not threaten the prosecution witnesses or lure in any manner;

(iv) They shall not leave the territorial limits without prior permission of the Investigating Officer;

(v) They shall not tamper with the prosecution evidence directly or indirectly.

Registry is directed to communicate this order to the Trial Court through e-mail.

Sd/-
(HEMANT CHANDANGOUDAR)
JUDGE