



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. 14181 OF 2024

BETWEEN:

SRI. RAMAKRISHNA @ RAMI,
S/O. SRI. THAMMEGOWDA,
AGED ABOUT 49 YEARS,
RESIDING AT D MALLIGERE VILLAGE,
KOPPA HOBLI, MADDUR TALUK,
MANDYA DISTRICT - 571 425.

...PETITIONER

(BY SRI. SRIKANTH N.V, ADVOCATE)

AND:

STATE OF KARNATAKA
BY KOPPA POLICE STATION, KOPPA,
REPRESENTED BY STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDING,
BANGALORE - 560 001.

...RESPONDENT

(BY SMT. WAHEEDA M.M, HCGP)

THIS CRL.P IS FILED U/S.438 (FILED U/S.482 BNSS) OF CR.P.C PRAYING TO ALLOW THE ABOVE PETITION THEREBY GRANTING PETITIONER ON ANTICIPATORY BAIL U/S.482 OF BNSS ACT 2023 IN CONNECTION WITH IN CRIME NO.61/2024 REGISTERED BY KOPPA POLICE STATION, KOPPA MADDUR ON THE FILE OF THE PRINCIPAL CIVIL JUDGE, AND JMFC MADDUR FOR THE OFFENCE P/US/ 74, 75, 352, 351(2), 351(3) OF THE BNS 2023.

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 petitioner seeking anticipatory bail in the event of his arrest in connection with Crime No. 61/2024, registered for offenses punishable under Sections 351(2), 351(3), 352, 74, and 75 of the Bharatiya Nyaya Sanhita, 2023.

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

3. The prosecution alleges that on 18.11.2024, at about 6:00 p.m., while the victim was alone in a paddy field, the accused inappropriately touched her. When the victim called for help, the accused fled from the spot. The victim lodged an FIR on 19.11.2024 at 10:00 a.m. The victim's statement under Section 164 of the Cr.P.C. has been recorded, in which she supported the prosecution's case.

4. It is noted that there are no eyewitnesses to the alleged incident, and the prosecution's case is primarily based on the victim's statement.



5. The prosecution's case relies solely on the statement of the victim, with no corroborative evidence or eyewitnesses to the incident. Considering the nature of the allegations, the circumstances of the case, and the principle that bail is the rule and jail is the exception, the petitioner has established a *prima facie* case for granting anticipatory bail.

6. In the light of the above, the petitioner has established a *prima facie* case for enlarging him on bail in the event of his arrest. Accordingly, petition is **allowed**. The petitioner is enlarged on bail in the event of his arrest in Crime No.61/2024 registered by the Koppa police station, Mandya for the offences punishable under Sections 351(2), 351(3), 352, 74 and 75 of the Bharatiya Nyaya Sanhita (BNS), 2023 on the file of the Principal Civil Judge (Jr.Dn.) & JMFC Court, Maddur, Mandya District, subject to the following conditions:

- (i) Petitioner is ordered to be enlarged on bail in the event of his arrest in Crime No.61/2024 registered against him by Koppa Police Station for the offences punishable under Sections 351(2), 351(3), 352, 74 and 75 of the Bharatiya Nyaya Sanhita (BNS), 2023 by furnishing a bond for a sum of Rs.1,00,000/- (Rupees One Lakh only);



- (ii) He shall co-operate with the Investigating Officer for the purpose of investigation;
- (iii) He shall not threaten the prosecution witnesses or lure in any manner;
- (iv) He shall not leave the territorial limits without prior permission of the Investigating Officer;
- (v) He 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

MH/-
List No.: 1 Sl No.: 113
CT: BHK