



CNR: KAHC010511682026

NC: 2026:KHC:53273
CRL.P No. 11299 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 11299 OF 2026

BETWEEN:

1. NAGANNA @ NAGAPPA
S/O LATE CHIKKANAPPA
AGED ABOUT 63 YEARS
R/AT VADAGALPURA VILLAGE
HARADANAHALLI HOBLI
CHAMARAJANAGARA
TALUK AND DISTRICT - 571 313
2. NAGARAJU
S/O MAHADEVAPPA
AGED ABOUT 48 YEARS
R/AT VADAGALUPURA VILLAGE
HARADANAHALLI HOBLI
CHAMARAJANAGARA
TALUK AND DISTRICT - 571 313
3. V N. DORESWAMY
S/O LATE NAGANNA
AGED ABOUT 38 YEARS
R/AT LINGAYATH STREET,
VADAGALUPURA VILLAGE
HONNAHALLI HOBLI
CHAMARAJANAGARA
TALUK AND DISTRICT - 571 127

...PETITIONERS

(BY SRI. C.M. JAGADEESH, ADVOCATE)



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AND:

STATE BY CHAMARAJANAGARA RURAL POLICE
CHAMARAJANAGARA
REPRESENTED BY STATE PUBLIC PROSECUTOR
HIGH COURT BUILDING,
BENGALURU - 560 001.

...RESPONDENT

(BY SRI. RAHUL RAI K., HCGP)

THIS CRL.P IS FILED U/S 439 CR.P.C. (FILED U/S 483 BNNS) PRAYING TO GRANT THE BAIL TO THE PETITIONER IN S.C.NO.61/2025 (CR.NO.97/2025) OF CHAMARAJANAGARA RURAL POLICE CHAMARAJANAGAR FOR THE OFFENCES P/U/S 126(2), 352, 103 R/W 3(5) OF BNS ACT PENDING ON THE FILE OF THE HONBLE ADDL.DISTRICT AND SESSIONS JUDGE AND FTSC-I AT CHAMARAJANAGARA.

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

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

Accused Nos.1 to 3 in SC No.61 of 2025 pending before the Court of Additional District and Sessions Judge, FTSC-I, Chamarajanagar, arising out of Crime No.97 of 2025 registered by Chamarajanagar Rural Police Station,



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Chamarajanagar for the offences punishable under Section 126(2), 352, 103 read with 3(5) of BNS, 2023, are before this Court in this petition filed under Section 483 of BNSS, 2023 seeking regular bail.

2. Heard the learned counsel for the parties.

3. FIR in Crime No.97 of 2025 was registered by Chamarajanagar Rural Police Station, Chamarajanagar for the offences punishable under Section 189(2), 191(2), 191(3), 352, 54, 103, 190 of BNS, 2023 against the petitioners herein and three others, based on the first information dated 05.05.2025 received from Mallesh son of deceased Mallappa. In the said case, the accused No.1 was arrested on 10.06.2025 and accused Nos.2 and 3 were arrested on 06.05.2025. After completing investigation, charge sheet is now filed against 4 persons and the petitioners are arrayed as accused Nos.1 to 3 in the charge sheet. Their bail application filed before the Trial Court in SC No.61 of 2025 was rejected on 25.05.2026. Therefore, they are before this Court.



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4. Perusal of the material on record would go to show that accused No.1 is the father of accused Nos.3 and 4. Accused No.2 is the husband of accused No.4 and son-in-law of accused No.1. It appears that the family of the accused persons and the family of the deceased, who are close relatives had a civil dispute with regard to partition of certain immovable property. It appears that the civil suit was pending before the jurisdictional Civil Court with regard to the aforesaid dispute. It is in this background, the members of the two families were quarrelling with each other frequently. On 05.05.2025 at about 06.00 p.m. accused No.1 confronted Mallappa and allegedly quarreled with him on the ground that he had filed a civil suit seeking partition and thereafter, pushed him. As a result, Mallappa fell down and it appears that his head came into contact with a sharp-edge of the stone and as a result he had suffered injury on his head. Immediately thereafter, accused Nos.2 to 4 came to the said spot and while accused No.4 caught hold of Mallappa, accused No.2 and



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accused No.3 assaulted him with a wooden clubs. As a result, Mallappa is said to have suffered grievous injuries. The police, who were summoned to the spot of crime allegedly shifted him to a Government hospital. However, Mallappa was declared dead in the hospital. It is under these circumstances, FIR was registered against petitioners and others.

5. From the aforesaid analysis of the matter, it appears that accused No.1 had not assaulted the deceased with any deadly weapon. On the other hand, he had quarreled with the deceased and thereafter, pushed him. As a result, Mallappa fell down and his head came into contact with the sharp-edge of a stone and he suffered head injuries. Thereafter, accused Nos.2 and 3 allegedly assaulted him with weapons. The post mortem report reveals that the deceased had suffered 14 injuries on his body. The cause of death is stated to be hemorrhage and shock as a result of multiple injuries sustained by the deceased. CW.3 is sole eyewitness in the present case,



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who has narrated the role of each of the accused as stated above.

6. Under these circumstances, I am of the opinion that prayer made by the accused No.1 for grant of regular bail can be answered affirmatively while the prayer made by the accused Nos.2 and 3 needs to be rejected at this stage, reserving liberty to them to file a fresh bail application before the Trial Court after CW.3 is examined. Accordingly, the following:-

ORDER

(i) The criminal petition is ***partly allowed***. Petition insofar as accused No.1 is allowed and the petition insofar as accused Nos.2 and 3, is rejected reserving liberty to them to file a fresh bail application before the Trial Court, after CW3 is examined.

(ii) The petitioner/accused No.1 is directed to be enlarged on bail in SC No.61 of 2025 pending before the Court of Additional District and Sessions Judge, FTSC-I,



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Chamarajanagar, arising out of Crime No.97 of 2025 registered by Chamarajanagar Rural Police Station, Chamarajanagar for the offences punishable under Section 126(2), 352, 103 read with 3(5) of BNS, 2023, subject to the following conditions:

- a) The petitioner/accused No.1 shall execute personal bond for a sum of Rs.1,00,000/- with two sureties for the likesum, to the satisfaction of the jurisdictional Court;
- b) The petitioner/accused No.1 shall appear regularly on all the dates of hearing before the Trial Court unless the Trial Court exempts his appearance for valid reasons;
- c) The petitioner/accused No.1 shall not directly or indirectly threaten or tamper with the prosecution witnesses;
- d) The petitioner/accused No.1 shall not involve in similar offences in future;



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e) The petitioner/accused No.1 shall not leave the jurisdiction of the Trial Court without permission of the said Court until the case registered against him is disposed off.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

AMM
List No.: 1 Sl No.: 31