

**(2025) 05 KAR CK 0410**

**In the Karnataka High Court, Principal Bench**

**Case No :** Criminal Petition No. 6976 Of 2025 (438(Cr.Pc) / 482(Bnss))

Kirana @ Kiran Rathod & Ors

APPELLANT

Vs

State Of Karnataka

RESPONDENT

**Date of Decision :** 29-05-2025

**Acts Referred:**

Scheduled Castes And Scheduled Tribes (Prevention Of Atrocities) Act, 1989 — Section 3(1)(r), 3(1)(s), 3(1)(w), 3(2)(v), 3(2)(va), 14(A)(2)  
Bharatiya Nyaya Sanhita, 2003 — Section 61(2), 62, 74, 103(1), 109(1), 118(1), 115(2), 189(4), 190, 191(2), 191(3), 329(4), 351(3), 352

**Citation :** (2025) 05 KAR CK 0410

**Hon'ble Judges :** M G Uma, J

**Bench :** Single Bench

**Advocate :** Raju C.N., Harish Ganapathy

**Final Decision :** Allowed

## Judgement

Suraj Govindaraj, J

1. The petitioners are before this Court seeking for the following relief:

" WHEREFORE, the above named petitioners (accused Nos.1 and 2) most respectfully pray that, this Hon'ble court be pleased to grant Anticipatory bail to them in the event of their arrest in Crime No.0116/2025 of the respondent Bilikere police station, which is registered for offences under sections 108 of the Bharatiya Nyaya Sanhita-2023 which is pending on the file of Addl. Civil Judge (Jr.Dn) and JMFC Court at Hunsur, Mysore District, on such terms and conditions in the above case in the ends of justice."

2. Cr.No.116/2025 has been registered by the Bilikere Police Station under Section 108 of the Bharatiya Nagarik Suraksha Sanhita, 2023 on the ground that due to the demands made by the petitioners of the loan advanced to the deceased, the deceased has committed suicide and as such the petitioners have abetted the said suicide.

3. Even the said allegation if taken on face value, I am of the considered opinion that the petitioners are not required for any custodial interrogation and the investigation can proceed without the petitioners being in custody.

4. Taking into consideration that the petitioners are permanent resident of GBN Gunj, Gulbarga and Kalburgi Districts having movable and immovable property, this Court is of the opinion that the petitioner be enlarged on bail by imposing necessary conditions. Accordingly, the following:

#### ORDER

The anticipatory bail petition filed under Section 438 of Cr.P.C. is allowed. The petitioners are ordered to be released on bail in the event of their arrest in Cr.No.116/2025 pending on the file of Addl. Civil Judge(Jr.Dn) and JMFC. Court at Hunsur, Mysore District on the following conditions:

- i. The petitioners shall appear and surrender before Addl. Civil Judge(Jr.Dn) and JMFC. Court at Hunsur, Mysore District within ten days from the date of receipt of the certified copy of this order and shall furnish a personal bond for a sum of Rs.50,000/- each with surety for the likesum to the satisfaction of the said court.
- ii. The petitioners shall appear before the trial court regularly on the appointed dates;
- iii. The petitioners shall furnish list of movable and immovable property held by them to the said Court.
- iv. The petitioners shall not tamper with evidence or cause any threat to any of the prosecution witness/s in any manner.
- v. The Petitioners shall co-operate with the completion of the investigation as expeditiously as possible.
- vi. The petitioners shall furnish their mobile numbers, WhatsApp numbers, E-mail IDs(if available), to enable them to be contacted. They are directed not to change any of the above until completion of trial.