



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 5TH DAY OF MAY, 2026

BEFORE

THE HON'BLE MR. JUSTICE T.M.NADAF

CRIMINAL PETITION NO. 200628 OF 2026

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

BETWEEN:

DEVAMMA
W/O HANAMANTH ITAGI,
AGED ABOUT 55 YEARS,
OCC: HOUSE HOLD,
R/AT: BEVINAHALLI VILLAGE,
TQ: SHAHAPUR,
DIST: YADGIRI-585 223.

...PETITIONER

(BY SRI. BASAVARAJ C. JAKA, ADVOCATE)

AND:

THE STATE OF KARNATAKA,
THROUGH SHAHAPUR POLICE STATION,
DIST. YADGIRI,
NOW REPRESENTED BY
ADDL. SPP, HIGH COURT OF KARNATAKA,
KALABURAGI BENCH - 585 107.

...RESPONDENT

(BY SRI. JAMADAR SHAHABUDDIN, HCGP)

THIS CRL.P IS FILED UNDER SECTION 482 OF BNSS/438 OF CR.P.C praying to ALLOW THIS PETITION AND DIRECT THE RESPONDENT SHAHAPUR POLICE TO RELEASE THE PETITIONER ON ANTICIPATORY BAIL IN THE EVENT OF HER ARREST IN CRIME NO.95/2026 REGISTERED BY SHAHAPUR POLICE STATION, DIST YADGIRI, FOR THE OFFENCE PUNISHABLE U/SEC 115(2), 84, 109, 352, 351(2), R/W SEC 3(5) OF BNS, 2023 PENDING ON THE FILE OF CIVIL JUDGE AND JMFC (JN.DN) COURT AT SHAHAPUR IN THE INTEREST OF JUSTICE.





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

CORAM: HON'BLE MR. JUSTICE T.M.NADAF

ORAL ORDER

This petition is filed by accused seeking for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS, 2023) in Crime No.95/2026 registered by the Shahapur Police Station, Yadgiri District, for the offences punishable under Sections 115(2), 84, 109, 352, 351(2) read with Section 3(5) of Bharatiya Nyaya Sanhita, 2023 [for short, '*the BNS, 2023*'].

2. Heard Sri Basavaraj C. Jaka, learned counsel appearing for the petitioner, Sri Jamadar Shahabuddin, learned High Court Government Pleader appearing for respondent- State and perused the records.

3. Sri Basavaraj C. Jaka submits that, as per the complaint averments, the allegation against the petitioner is that the petitioner pulled the victim by holding her hair



and slapped on her cheek and dragged the victim, except these allegations, there are no other allegations. The allegations are against the one Devraj, who alleged to have stabbed on the left side abdomen of the victim. Though the crime was registered on 20.04.2026, the petitioner herein being a lady and the offence alleged against her are not exclusively punishable either with death or life imprisonment. However, there is no common intention could be gathered from the complaint averments. He further submits that petitioner has approached this Court directly seeking anticipatory bail on the ground that the petitioner is a lady and there is apprehension of her arrest and subjecting her to incarceration. Accordingly, he prays to allow the petition.

4. Learned High Court Government Pleader objected orally for grant of anticipatory bail on the ground that the crime was registered on 20.04.2026 and the investigation is still under process and in the event, the petitioner is enlarged on bail, she may threaten the



prosecution witnesses and meddle with the investigation. Accordingly, sought to dismiss the petition.

5. Having considered the rival submissions and considering the fact that the petitioner being a lady and as per Section 437 of Cr.P.C/480 of BNS 2023, can be considered for grant of bail and even the allegations found against the petitioner is that she pulled the victim by holding her hair and slapped on her cheek and dragged the victim, except this there are no other allegations, which would attract the major offence.

6. Further considering the fact that the apprehension of the learned High Court Government Pleader could be saved by imposing stringent conditions.

7. In view of the peculiar facts and circumstances of the case, without expressing anything on the merits of the case, this Court is of the opinion that the petitioner is entitled for anticipatory bail. In view of the same, I proceed to pass the following:



ORDER

The petition filed under Section 482 of BNSS, 2023 is allowed. The respondent – Police are hereby directed to release the petitioner on bail in the event of her arrest in Crime No.95/2026 dated 20.04.2026 registered by the Shahapur Police Station, Yadgir district for the offences punishable under Sections 115(2), 84, 109, 352, 351(2) read with Section 3(5) of Bharatiya Nyaya Sanhita, 2023 on the following conditions:

- (i) The petitioner shall appear before the Investigating Officer within 15 days from today. On her appearance, the Investigating Officer shall release her on anticipatory bail, on petitioner's executing a personal bond for a sum of Rs.25,000/- [Rupees Twenty Five Thousand only] with one surety for the likesum to the satisfaction of the Investigating Officer.



- (ii) The petitioner shall co-operate with the Investigating Officer and be present whenever summoned for investigation without fail.
- (iii) The petitioner shall mark her attendance on every alternative Sunday between 11.00 a.m. to 2.00 p.m. till completion of Investigation and filing of the charge-sheet.
- (iv) The petitioner shall regularly appear before the Trial Court without fail unless exempted by the Trial Court for valid reasons.
- (v) The petitioner shall not tamper or threaten the prosecution witnesses.
- (vi) The petitioner shall not involve in similar offences in future.
- (vii) The petitioner shall file a formal regular bail application before the concerned Court within 15 days from the date of her release



on anticipatory bail by the Police. The concerned Court shall consider the bail application as per the order of this Court.

- (viii) The petitioner shall not leave the jurisdiction of the Sessions Court without prior permission.

If any of the above conditions are violated, prosecution will be entitled to seek cancellation of bail.

Ordered accordingly.

**Sd/-
(T.M.NADAF)
JUDGE**

SN
LIST NO.: 1 SL NO.: 7
CT:VK