



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 19TH DAY OF DECEMBER, 2025

BEFORE

THE HON'BLE MR. JUSTICE S.RACHAIAH

CRIMINAL PETITION NO.105231 OF 2025

(439(Cr.PC)/483(BNSS))

BETWEEN:

RUDRA GOWDA CHANNABASAPPA
S/O. CHANNABASAPPA,
AGED ABOUT 29 YEARS,
R/O. KOTIHAL VILLAGE, TQ. RANEBENNUR,
DIST. HAVERI, KARNATAKA-580011.

...PETITIONER

(BY SRI. AVINASH M.ANGADI, ADVOCATE)

AND:

THE STATE OF KARNATAKA,
THROUGH HIREHADAGALI POLICE STATION,
REP. BY ITS PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
DHARWAD-580011.

...RESPONDENT

(BY SRI. PRAVEENA Y.DEVAREDDIYAVARA, HCGP)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 439 OF CR.P.C. (UNDER SECTION 483 OF BNSS, 2023) PRAYING TO, ALLOW THIS PETITION AND FURTHER BE PLEASED TO ENLARGE THE PETITIONER/ACCUSED NO.03 ON REGULAR BAIL IN FIR IN CRIME NO.126/2025 WHICH IS REGISTERED BY HIREHADAGALI POLICE STATION FOR THE ALLEGED OFFENCES PUNISHABLE UNDER SECTIONS 140(2), 103(1), 238, 49 R/W 3(5) OF BNS-2023 PENDING ON THE FILE BEFORE CIVIL JUDGE AND JMFC COURT, HADAGALI.

Digitally signed
by SREEDHARAN
BANGALORE
SUSHMA
LAKSHMI

Location: High
Court of
Karnataka



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

ORAL ORDER

(PER: THE HON'BLE MR. JUSTICE S.RACHAIAH)

1. The petitioner is before this Court seeking for grant of regular bail in Crime No.126/2025 of respondent/Police for the offence under Sections 140(2) of the Bharatiya Nyaya Sanhita, 2023¹.

Brief facts of the case:

2. The case of the prosecution is that, the deceased had called through Whatsapp to the sister-in-law of the complainant namely Manjula and informed her that the deceased was kidnapped by the unknown persons and they demanded Rs.5 Crore to set him free. The said Manjula had called the complainant and informed him about the kidnap. It is further stated in the records that, the deceased was kidnapped and murdered by the unknown persons. After

¹ For short 'BNS, 2023'



registering the case, the respondent/Police are conducting the investigation and the investigation is under progress.

3. Heard Sri.Avinash M. Angadi, learned counsel for the petitioner and Sri. Praveen Y. Devareddiyavara, learned High Court Government Pleader for respondent/State.

4. The submission of the learned counsel for the petitioner is that, the petitioner is arrayed as accused No.3. However, the overt-act of the petitioner is that under the instigation or under the instruction of the accused Nos.1 and 2, the petitioner has committed the murder of the deceased. The petitioner is innocent of the alleged offences and he has been falsely implicated in this case. The petitioner is the permanent resident of Kotihal village of Ranebennur Taluk and he is aged about 29 years and he is the sole earning member of his family. The date is fixed for her wife to deliver a baby, at this stage, it is necessary for him to be along with his wife. As the allegations alleged against the petitioner are not serious, he may be enlarged on bail by imposing suitable conditions. Making such



submissions, learned counsel for the petitioner prays to allow the petition.

5. *Per contra*, the learned High Court Government Pleader for respondent/State vehemently submitted that the petitioner had committed heinous offence along with the other accused. The averments of the complaint and the documents on record would indicate that the accused Nos.1 and 2 under the instigation of the petitioner had kidnapped and murdered the deceased. Therefore, it is not appropriate to grant him bail. Making such submissions, learned High Court Government Pleader for respondent/State prays to reject the petition.

6. Having heard the learned counsel for the respective parties and on perusal of the averments of the complaint and also on perusal of the documents produced by the Jurisdictional Police, it appears from the record that, the overt-act alleged against the present petitioner is that, the petitioner has instructed the accused Nos.1 and 2 to commit the murder of the deceased after kidnapping him.



The said aspect has been narrated in the present petition, after obtaining the voluntary statement of the accused Nos.2 and 3.

7. Under such circumstances, I am of the considered opinion that, the petitioner has made out a case to grant him bail, it is appropriate to grant bail as prayed for. Hence, I proceed to pass the following:

ORDER

(i) The petition is ***allowed.***

(ii) The petitioner is ordered to be enlarged on bail in Crime No.126/2025 of respondent/Police on executing personal bond for a sum of Rs.1,00,000/- with one surety for the likesum to the satisfaction of the Trial Court subject to following conditions;

(a) The petitioner shall not threaten or tamper the prosecution witnesses nor hamper the proceedings of the Court.



(b) The petitioner shall appear before the Trial Court on all hearing dates without fail.

(c) The petitioner shall co-operate with investigation.

(d) The petitioner shall not involve in any criminal cases till disposal of the case.

In case, if the petitioner violates any of the bail conditions as stated above, liberty is reserved to the prosecution to file necessary application for cancellation of bail.

Sd/-
(S.RACHAIAH)
JUDGE