



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 18TH DAY OF MARCH, 2025

PRESENT

THE HON'BLE MR JUSTICE SREENIVAS HARISH KUMAR

AND

THE HON'BLE MRS JUSTICE K.S. HEMALEKHA

CRIMINAL APPEAL NO. 1358 OF 2024

Between:

Shri. Narayan P.S.,
Aged about 52 years
Son of P.V.Rao,
Residing at No. 205
Megha Maanay Homes
Omkar Layout, Uttarahalli,
Kengeri Main Road,
Bengaluru-560 060.

...Appellant

Digitally signed
by VEERENDRA
KUMAR K M

Location: HIGH
COURT OF
KARNATAKA

(By Sri Ananda Gangenura, Advocate)

And:

1. State of Karnataka
By Kengeri Police Station
Bengaluru-560 060
Represented by State Public Prosecutor,
High Court Building
Bengaluru-560001.
2. Shri Shashikiran Rao S.,
S/o Suresh Rao S.,
Aged about 32 years
R/at No. 269, Maruthi Layout,



4th Cross, Subramanyapura,
Near Vasantha Vallabha Temple,
Vasanthapura, Bengaluru-560 061

...Respondents

(By Sri Vijaya Kumar Majage, SPP-II for R1;
Smt. N.Padmavathi, Advocate for R2)

This Criminal Appeal is filed u/s 372 of Cr.P.C. praying to set aside the judgment of acquittal dated 06.04.2024 passed by the Hon'ble Court of Additional City Civil and Sessions Judge, FTSC-V, Bengaluru for the offence p/u/s 363, 354(d), 506, 376 of IPC and secs. 3 and 4 of POCSO Act, 2012 and convict the accused.

This Criminal Appeal, coming on for admission, this day, judgment was delivered therein as under:

CORAM: HON'BLE MR JUSTICE SREENIVAS HARISH KUMAR
and
HON'BLE MRS JUSTICE K.S. HEMALEKHA

ORAL JUDGMENT

(PER: HON'BLE MR JUSTICE SREENIVAS HARISH KUMAR)

Advocate Smt. N. Padmavathi submits that she has filed vakalath for respondent no.2. Her name shall be indicated in the records.



2. Heard Sri. Ananda Gangenura, advocate for the appellant. This appeal is filed by the father of prosecutrix challenging the judgment of acquittal in Spl.C.C.No.182/2020 on the file of Addl. City Civil and Sessions Judge, FTSC-V, Bengaluru. Accused faced trial for the offences under sections 363, 354(D), 506, 376 IPC and sections 3 and 4 of POCSO Act. The age of the girl was 17 years 9 months. Though it is argued by the appellant's counsel that the trial court has not considered the evidence in proper perspective, on perusal of the impugned judgment, we are of the view that the trial court has discussed the evidence very minutely. Finding major discrepancies in the evidence of the prosecutrix and taking into account that video recordings are not produced, the trial court formed an opinion that the prosecution was not able to prove its case. Added to this, the trial court has placed reliance on the judgment of the Hon'ble Supreme Court in ***State of Madhya Pradesh Vs. Munna Alias Shambhoo Nath in Crl.A.No.658/2011*** decided on



18.09.2015 to record acquittal. We do not find any good ground to admit this appeal as the trial court has applied its mind properly. Appeal is dismissed.

**Sd/-
(SREENIVAS HARISH KUMAR)
JUDGE**

**Sd/-
(K.S. HEMALEKHA)
JUDGE**

SD
List No.: 1 Sl No.: 17