



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF DECEMBER, 2025

BEFORE

THE HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

CRIMINAL PETITION NO. 14811 OF 2025
[(439(Cr.PC) / 483(BNSS))]

BETWEEN:

SADDAM HUSEN
S/O GOKUL SAB,
AGED ABOUT 22 YEARS,
RESIDENT OF NO.15, 8TH CROSS,
RAGHAVENDRA COLONY,
VIDYARANYAPURA,
BENGALURU-560 097.

...PETITIONER

(BY SRI. TIGADI VEERANNA GADIGEPPA, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
BY INSPECTOR OF POLICE,
VIDYARANYAPURA POLICE STATION,
BENGALURU.
REP. BY STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BENGALURU - 560 001.

2. SAYED FAYAZ,
S/O LATE SYED GHAFOR,
AGE: 45 YEARS, R/O. NO.256, NEAR KOYAS
FACTORY, M.S. PALYA, VIDYARANYAPURA,
BENGALURU - 560 097.

...RESPONDENTS

(BY SRI. CHANNAPPA ERAPPA FOR R1;
SRI. ABDUL MAJID, ADVCOATE FOR R2 - ABSENT)

Digitally Signed by
LAKSHMINARAYANA
MURTHY RAJASHRI
Location: HIGH
COURT OF
KARNATAKA



THIS CRL.P IS FILED UNDER SECTION 439 CR.PC (FILED UNDER SECTION 483 BNSS) PRAYING TO GRANTING HIM BAIL IN VIDYARANYAPURA POLICE STATION, BENGALURU IN CRIME NO.33/2025 (SPECIAL CASE NO.1038/2025) FOR THE OFFENCES PUNISHABLE UNDER SECTIONS 64(2)(m), 87 OF BNS, 2023 AND SECTIONS 5(L) AND 6 OF PROTECTION OF CHILDREN FROM SEXUAL OFFENCES ACT, 2012 PENDING ON THE FILE OF THE FAST TRACK SESSIONS COURT - IV ADDITIONAL DISTRICT AND SESSIONS JUDGE, BENGALURU.

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

CORAM: HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

ORAL ORDER

This petition is filed by sole accused under Section 483 of Bharatiya Nagrika Suraksha Sanhita, 2023 praying to grant bail in Special Case No.1038/2025 (Crime No.33/2025 of Vidyaranyapura Police Station) pending on the file of Additional District and Sessions Judge, FTSC-IV (POCSO), Bengaluru, registered for offences punishable under Sections 64(2)(m) and 87 of Bharatiya Nyaya Sanhita, 2023 and under sections 5(L) and 6 of Protection of Children from Sexual Offences Act.



2. Heard learned counsel for petitioner and learned High Court Government Pleader for respondent No.1 - State. Learned counsel for respondent No.2 is absent.

3. Learned counsel for petitioner would contend that, the victim girl has not made any allegation against this petitioner of any sexual assault on her by the petitioner in her statement recorded under Section 183 of BNSS. The victim girl has refused to undergo medical examination. The victim girl is aged sixteen (16) years and she knows the consequences of her acts. As the charge sheet is filed, the petitioner is not required for custodial interrogation. With these, he prayed to allow the petition.

4. Per contra, learned High Court Government Pleader for respondent would contend that, the victim girl is aged sixteen (16) years and her date of birth is 25.01.2009. The victim girl has stated in her statement before the Police of the acts of the petitioner. The charge



sheet materials show that, there is a *prima-facie* case against the petitioner for offences alleged against him. With these, he prayed for dismissal of the petition.

5. Having heard the learned counsels appearing for parties, the Court has perused the charge sheet and other materials placed on record.

6. As per the charge sheet, the case of the prosecution is that, the petitioner and the victim girl were in love affair. The petitioner promising to marry the victim girl took her to Bengaluru, Andhra Pradesh and other places and had sexual intercourse and came back with her to Bengaluru 30.01.2025. The statement of the victim girl has been recorded under Section 183 of BNSS, wherein she has not made any allegation of sexual assault on her by the petitioner. The victim girl has not given consent for her physical examination by the doctor. As the charge sheet is filed, the petitioner is not required for custodial



interrogation. There are no criminal antecedents of the petitioner.

7. Considering all the above aspects, the petitioner has made out a case for grant of bail with conditions. In the result, the following;

ORDER

The Criminal Petition is ***allowed***. The petitioner is granted bail in Special Case No.1038/2025 (Crime No.33/2025 of Vidyaranyapura Police Station) pending on the file of Additional District and Sessions Judge, FTSC-IV (POCSO), Bengaluru, subject to following conditions:

- i) The petitioner shall execute a personal bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) with one surety for the like-sum to the satisfaction of the trial Court.*
- ii) The petitioner shall not tamper the prosecution witnesses either directly or indirectly.*



iii) The petitioner shall appear before the trial Court on all dates of hearing unless exempted by the Court and cooperate for speedy disposal of the case.

Sd/-
(SHIVASHANKAR AMARANNAVAR)
JUDGE

KLV
List No.: 1 Sl No.: 5