



CNR: KAHC010039012026

NC: 2026:KHC:41941
CRL.P No. 767 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 7TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAVI V HOSMANI

CRIMINAL PETITION NO. 767 OF 2026

BETWEEN:

SRI VINOD P K @ VINNU
@ VINOJ PALLISERI
S/O LATE KRISHNAN KUTTY,
AGED ABOUT 38 YEARS,
R/AT NO. PALLISERI HOUSE,
KADUPPASSERI POST, KACHERIPAD,
THOMMANNA IRINJALKUDA
TRISHUR DISTRICT
KERALA STATE - 680 001.

...PETITIONER

(BY SMT.HALEEMA AMEEN, ADVOCATE FOR
SRI ASHOK KUMAR SHETTY K., ADVOCATE)

AND:

1. STATE BY
MANGALURU RURAL POLICE STATION
MANGALURU
REPRESENTED BY
STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDINGS,
BENGALURU - 560 001.
2. SRI PADMANABHA KOTYAN
AGED ABOUT 58 YEARS
S/O LATE LOKAYYA POOJARY

Digitally signed
by ANUSHA V

Location: High
Court of
Karnataka



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R/AT PRATHAM NIVAS
KAYAR PADAVU,
ULAYIBETTU VILLAGE,
PERMANKI POST
MANGALURU 570 001.

V/O DATED 04.08.2026 R2 IS DELETED

...RESPONDENT

(BY SRI CHANNAPPA ERAPPA, HCGP FOR R1;
V/O DATED 04.08.2026 R2 IS DELETED)

THIS CRL.P IS FILED U/S.482 CR.P.C PRAYING TO
ENLARGE THE PETITIONER ON BAIL IN S.C.NO.38/2025
(CRIME NO.52/2024 REGISTERED BY THE MANGALURU RURAL
POLICE STATION) ON THE FILE OF II ADDITIONAL DISTRICT
AND SESSIONS JUDGE, D.K, MANGALURU, FOR THE OFFENCES
PUNISHABLE UNDER SECTIONS 120(B), 457, 342, 323, 324,
307, 395, 397, 506, 201 READ WITH SECTION 149 OF IPC.

THIS PETITION IS COMING ON FOR '*DICTATING
ORDERS*', THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE RAVI V HOSMANI



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ORAL ORDER

This petition for regular bail is filed by accused no.6 (**petitioner**) in SC no.38/2025 on file of II Additional District and Sessions Judge, D.K., Mangaluru in Crime no.52/2024 for offences punishable under Sections 120(B), 457, 342, 323, 324, 307, 395, 397, 506, 201 read with Section 149 of Indian Penal Code, 1860 (**IPC**).

2. Smt.Haleema Ameen, learned counsel appearing for Sri Ashok Kumar Shetty, learned counsel for petitioner submitted that petitioner was accused no.6 in complaint filed by respondent no.2 (**complainant**) alleging that complainant was an agriculturist and Class-I PWD Contractor living with his wife and son. That at about 7:45 p.m. on 21.06.2024, about 10 to 12 persons aged about 30-40 years entered his house masking their faces and wearing gloves caught complainant. When he tried to escape, one of them blocked his mouth and nose. When complainant bit his hand, one of them assaulted complainant with knife on his right shoulder and right ankle, others also carrying knives assaulted him on right side of his head, right eye etc. and when he fell down, one of them kicked



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complainant on his stomach, tied his hands/legs with rope and took him inside house. They had also tied down his son and wife by pointing knife and made to sit on Sofa. All persons had knives with them and after threatening complainant, his son and wife, enquired about valuables in house and demanded them to be handed over. Out of fear, complainant's wife/son told them to take whatever they wanted and handed over Keys. Thereafter accused searched Drawers and Almirahs and took away one gold rope chain - 5 pavan in weight; one gold bracelet - 5 pavan in weight; one ring, one diamond necklace and Rs.1,50,000/- cash and escaped from his house in his Fortuner Car and also took DVR of CC Camera. It was alleged that Car was abandoned about half a kilometer away. Complainant further stated that said persons spoke in Hindi and had threatened even his workers while escaping.

3. It was submitted, in course of investigation some persons were arrested. And after completion, Charge Sheet was filed against 18 persons, wherein petitioner was arraigned as accused no.6. It was submitted, accused no.1 to 3 were granted bail in Crl.P.no.3184/2025 & connected matters



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[2025:KHC:12857]; accused no.4 in Crl.P.no.13235/2024 [2025:KHC:778]; accused no.8 and 10 in Crl.P.no.11767/2024 [2024:KHC:51323]; accused no.7, 12 and 13 in Crl.P.no.12542/2024 & connected matters [2025:KHC:24188]; and accused no.9 in Crl.P.no.12679/2024 [2025:KHC:11930].

4. Further, though bail petition filed by accused no.5 and 6 in Crl.P.no.10855/2025 c/w Crl.P.no.10679/2025 were dismissed [2025:KHC:40517] earlier on 14.10.2025, it was submitted, in view of grant of bail to all other accused, petitioner-accused no.6 was also entitled for bail on ground of parity.

5. It was submitted, main accused against whom there were specific and more serious overt-acts alleged were also enlarged on bail. It was submitted, petitioner herein was arrested on 03.07.2024 and was in custody since more than two years. It was further submitted, as charge sheet was already filed, there would be no need of accused for custodial interrogation. It was submitted, continuation of petitioner in jail would amount to incarceration even prior to being found guilty



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of offence. It was further submitted that possibility of conclusion of trial were bleak in violation of right to speedy trial. Agreeing to abide by any stringent conditions to be imposed, learned counsel sought for grant of bail. In support of submissions, learned counsel sought to rely on decision of Hon'ble Supreme Court in **Prabhakar Tewari v. State of U.P.** reported in **(2020) 11 SCC 648** for factors to be considered while considering bail application. On above grounds, prayed for allowing petition.

6. Sri Chanappa Erappa, learned HCGP for respondent-State opposed petition. It was submitted that during course of investigation, sufficient material was collected implicating accused to offences. It was submitted, offences alleged were severe and heinous and bail application filed earlier was rejected by this Court on finding specific overt-acts against petitioner. Without any changed circumstances, fresh bail petition was filed. Besides, there were criminal antecedents namely, Crime no.1970/2015 for offence punishable under Section 279 of Motor Vehicles Act and Crime no.1261/2017 for offences punishable under Section 15 C of Kerala Electricity Act.



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It was also submitted that petitioner being resident of Kerala was in all likelihood to flee in case of release on bail. On above ground, sought for dismissal.

7. Heard learned counsel and perused material on record.

8. This petition is by accused no.6 for regular bail.

9. Main grounds urged are, parity as other accused facing more serious allegations were granted bail, petitioner was in custody since two years, charge sheet was already filed and chances of speedy trial were bleak.

10. However, it is seen that petitioner's earlier bail application was rejected by this Court on 14.10.2025 in Crl.P.no.10855/2025 (supra) virtually considering very same grounds as follows :

"3. The learned counsel for petitioners would contend that, accused Nos. 1 to 4 and 7 to 15 have been granted bail by this Court. The accusations against the petitioners are similar to that of accused No.7, who has been granted bail, and therefore, petitioners are entitled for grant of bail on the ground of parity. He further submits that, accused No.15 to 18 are shown as absconding in the charge sheet, and they are not yet secured. He submits that, the



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charge sheet has been filed, and therefore, the petitioners are not required for custodial interrogation. The stage of the sessions case is for hearing before charge. The petitioners are in custody since last fourteen months. With these grounds, he prayed to allow the petitions.

4. Per contra, the learned High Court Government Pleader for the respondent would contend that, the offences alleged against the petitioners are heinous offences punishable with death or imprisonment for life. He submits that, there is a specific overt-act alleged against the accused No.6 that he assaulted with knife to CW1 on his shoulder, right leg and kicked on the stomach. The accused No.5 demanded money, threatened to kill and destroyed the WiFi router. The overt-act alleged against the petitioners are more severe than the overt-act alleged against the other accused, who have been granted bail. Therefore, the petitioners are not entitled for grant of bail on the ground of parity.
5. The learned High Court Government Pleader submits that accused Nos. 16 to 18 are absconding till date, and if the petitioners are granted bail, it is difficult to secure the said accused Nos.16 to 18. If these petitioners are granted bail, there are chances of them tampering the prosecution witnesses, flee from justice and committing similar offences. On these grounds, he prayed for rejection of the petitions.
6. Having heard the learned counsel, the Court has perused the charge sheet records and other materials placed on record.
7. FIR in Crime No.52/2024 was registered by Mangaluru Rural Police Station, Mangaluru City, initially for the offences punishable under Sections 395, 397, 506 read with Section 149



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of IPC against unknown persons, based on the first information dated 22.06.2024 received from Padmanabha Kotyan s/o late Lokayya Poojary.

8. During the course of investigation of the case, accused Nos.5 and 6 have been arrested on 04.07.2024, and subsequently, they were remanded to judicial custody. After completing investigation, charge sheet has been filed against eighteen persons. Applications filed by the petitioners before the jurisdictional Sessions Court were rejected. Thereafter the petitioners filed bail petitions before this Court, and the same came to be rejected. Again they filed bail petitions before the Sessions Court, and the same came to be rejected. The petitioners are therefore before this Court seeking grant of bail.
9. The allegations in the charge sheet are that, in furtherance of the proceedings, accused Nos.5, 6, 7, 9 and 11 and 12 to 18 came in two vehicles from Kerala to Mangalore, and amongst the aforesaid accused, accused Nos.5 to 7, 12 to 13 and 15 to 18 had entered into the compound of the first informant on 21.06.2024 and had committed the alleged crime. In the first information, it is stated that all the accused, who had entered into the compound wall, were wearing masks on their face and gloves on their hands. However, the charge sheet materials would go to show that, accused were identified in the Test Identification Parade subsequent to their arrest.
10. The materials on record would also go to show that, there is a recovery of robbed articles from all the accused persons, who were arrested in the present case. Accused Nos.1 to 4 and 7 to 15 have been granted regular bail by this Court in Crl.P Nos.13235/2024, 11767/2024, 12679/2024, 9738/2024, 3184/



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2025, 1231/2025, 1240/2025 and 13785/2024. The petitioners are seeking grant of bail on the ground of parity. Accused No.7 has been granted bail in Crl.P No.12547/2024.

11. The learned counsel for the petitioners submits that, accused No.7 is similarly placed to that of the present petitioner/accused Nos.5 and 6. In order to consider whether the accusation and overt-act alleged against the petitioners/accused Nos.5 and 6 is similar to that of other accused, the accusation in column No.17 in the charge sheet requires to be gone into.
12. There is no accusation against accused No.7 of assault by him. The accusation against accused No. 7 is that he has shown a knife and tied hands and legs of CW2. The accusation against the petitioner/accused No.6 herein is that, he with an intent to kill CW1 tried to assault him with a knife and he escaped, and the said hit was caused injury on his right shoulder. Accused No.6 also assaulted CW1 with knife on his right leg and caused bleeding injury and kicked on the stomach of CW1. Accused No.6 robbed Rs.45,000/- kept in the bag.
13. Considering the said overt-act alleged against accused No.6, he is not similarly placed to that of other accused, who have already been granted bail. Therefore, he is not entitled for grant of bail on the ground of parity.
14. The accusation against accused No.5 is that, he demanded money by threatening CW1 to CW3 and due to the said threat, CW2 has shown bag kept on the dining table stating that it contained money. Accused No.5 with other accused kept knife on the neck of CW2 and took CW1 to the bedroom and robbed seven golden rope chain with a golden pendant worth four lakhs rupees, a golden



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bracelet and golden ring. Accused No.5 also destroyed the WiFi router thinking that it is CCTV camera.

15. Considering the said over-act alleged against accused No.5, they are not similar to the overt-act alleged against other accused, who were granted bail. The offences alleged against the petitioners/accused Nos.5 and 6 are the offences punishable with death or imprisonment or life. If the petitioners/accused Nos.5 and 6 are granted bail, there are chances of they threatening the prosecution witnesses and committing similar offence. The petitioners/accused Nos.5 and 6 have not made out any ground for grant of bail."

11. Column no.17 of Charge Sheet reveals allegations against petitioner (accused no.6) are that on 06.06.2024, accused no.5, 6, 7 and 11 expressed readiness to form team and go to Mangaluru for committing dacoity; that on 14.06.2024, accused no.5, 6, 7, 9 and 11 left Trissur to go to Mangaluru; on 16.06.2024, being part of conspiracy to commit dacoity at Darga in Ullal; about accused no.6 calling accused no.12 on 18.06.2024 to bring Car to Mangaluru, about being part of conspiracy on 18.06.2024 along with accused no.5, 7, 9, 11 and proceeding to Tokkottu in Innova Car along with accused no.5, 7, 9, 11, 12, 14 to 16; about collecting gunny sack to fill Cash; about petitioner being part of unlawful



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assembly with other accused and proceeding to scene of offence with intention of committing dacoity; trespassing into house of complainant on 21.06.2024; grabbing complainant; about assaulting complainant with knife on his neck with intention to murder him; about petitioner stabbing complainant with knife on his stomach; later joining other accused in tying complainant etc and wrongfully restraining them and threatening workers of complainant and scaring them away from house of complainant and thereafter carrying complainant inside house with other accused; about petitioner taking Rs.45,000/- Cash from bag and about disposing of WiFi Router in river to destroy evidence etc. These allegations would implicate petitioner of heinous offences.

12. Hon'ble Supreme Court in **Zeba Khan v. State of U.P.** reported in **2026 SCC OnLine SC 188**, has held that bail is an equitable relief requiring applicants approach Court with clean hands. Likewise, in **Sagar v. State of U.P.**, reported in **2025 SCC OnLine SC 2584**, it is held that co-accused cannot seek bail solely on basis that other accused persons were granted bail in same offence. Bail on parity should be granted



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only to co-accused who are suspected of committing similar acts. This Court on earlier occasion has held that allegations against petitioner (accused no.6) are different from those of other accused and offences invoked are heinous and punishable with imprisonment for life.

13. Further, it is settled law that successive bail applications, though maintainable are only in changed circumstances and cannot be entertained in routine manner. Grounds urged are very same as those urged earlier, considered and rejected. No such grounds as would indicate substantially changed circumstances are urged or made out. Hence, this Court does not find any good grounds to entertain this petition.

Petition is ***dismissed***.

Sd/-
(RAVI V HOSMANI)
JUDGE

AV
List No.: 1 Sl No.: 50