



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE G BASAVARAJA

CRIMINAL APPEAL NO. 170 OF 2026 (U/S 14(A) (2))

BETWEEN:

MANJUNATH @ JAKSAN MANJA
@MANJA
AGED ABOUT 25 YEARS
S/O CHANNEGOWDA,
R/O. THERINA BEEDE,
ARAKE SHWARA NAGARA,
GUTTHALU, MANDYA CITY
PIN CODE-571401.

...APPELLANT

(BY SMT. LAVANYA M., ADVOCATE)

AND:

1. STATE BY POLICE INSPECTOR
DCRE POLICE STATION
MANDYA DISTRICT
REP.BY STATE PUBLIC PROSECUTOR
HIGH COURT COMPLEX
BENGALURU-560 001.
2. SMT. SAVITHRI
W/O ELUMALI
AGED ABOUT 26 YEARS
R/O. NO.35, SD JAYARAM
BADAVERE,
MARAKADUDODDI VILLAGE
MANDYA- 571 401.

...RESPONDENTS



(BY SRI. RAHUL RAI K., HCGP FOR R1;
R2 - SERVED AND UNREPRESENTED)

THIS CRL.A. IS FILED U/S 14(A)(2) OF SC/ST (POA) ACT, 2015 R/W SECTION 483 OF CODE OF B.N.S.ACT, PRAYING TO SET ASIDE THE ORDER DTD 07.11.2025 IN SPL.C.NO.203/2025 ON THE FILE OF THE V ADDL. DISTRICT AND SESSIONS JUDGE, AT MANDYA AND ETC.

THIS APPEAL, COMING ON FOR ORDERS, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE G BASAVARAJA

ORAL JUDGMENT

It is submitted by the learned High Court Government Pleader that notice is duly served to respondent No.2. Respondent No.2 called out and she remained absent and unrepresented.

2. The appellant has preferred this appeal against the order passed by the V Additional District and Sessions Judge, Mandya in Special Case No.203/2025 dated 07.11.2025.



3. The brief facts leading to this appeal are that on the basis of the complaint filed by the victim, Mandya Rural Police have registered the case against accused Nos.1 and 2 for the commission of offence under Sections 126(2), 351(2), 351(3), 64, 324(4), 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short 'the BNS') and under Sections 3(1)(s), 3(1)(r), 3(1)(w)(i)(ii), 3(2)(va) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Amendment Act, 2015 (for short 'the SC/ST(PoA) Act'). After investigation, the Investigating Officer has submitted the charge sheet against the accused for the offence under Sections 126(2), 64(1), 351(2), 308(2), 3(5) of the BNS, 2023 and under Sections 3(1)(w)(i)(ii), 3(2)(va) of the SC/ST(PoA) Act. During the course of investigation, the Investigating Officer has arrested the accused and produced before the Court on 01.07.2025 and was remanded to judicial custody. Application was filed under Section 483 of BNSS, 2023. Same came to be rejected by the Trial Court. Being



aggrieved by this order, the appellant has preferred this appeal.

4. Heard the arguments on both sides and perused the materials placed before his Court.

5. The alleged incident, as shown in the FIR, took place between 11.01.2025 to 09.06.2025. The complaint came to be filed on 29.06.2025. On the basis of this complaint, the concerned police have registered the case in Crime No.245/2025 for the commission of alleged offence under Sections 126(2), 351(2), 351(3), 64, 324(4), 3(5) of the BNS and under Sections 3(1)(s), 3(1)(r), 3(1)(w)(i)(ii), 3(2)(va) of the the SC/ST(PoA) Act and submitted the FIR to the Court on 29.06.2025. The concerned police have arrested the accused. Complainant has given her further statement to the police on 01.07.2025, in which the complainant/victim has stated that accused, at the time of filing complaint, was not having any knife. However, she has stated that the



accused has committed a rape on her. A careful examination of the entire materials on record, it is crystal clear that there is an inordinate delay in filing the complaint. Without expressing any opinion on merits of the case, considering the inordinate delay in filing the complaint, further statement dated 01.07.2025, the monetary transaction between the complainant and the accused, and as the investigation is already completed and requirement of the accused is not necessary, I am of the opinion that it is just and proper to allow this appeal. Accordingly, I proceed to pass the following:

ORDER

- i) Appeal is allowed.
- ii) The impugned order passed by the V Additional District and Sessions Judge at Mandya in Special Case No.203/2025 dated 07.11.2025 is hereby set aside. Consequently, application filed under Section 483 of BNSS, 2023 is allowed.



- iii) The appellant shall be released on bail on executing a self-bond for a sum of Rs.1,00,000/- with one surety for likesum to the satisfaction of the Trial Court.
- iv) The appellant shall not tamper or threaten the prosecution witnesses.
- v) The appellant shall not indulge in any offence.
- vi) The appellant shall appear before the Trial Court on all the dates of hearing and shall co-operate for trial.

Registry is directed to communicate this order to the Trial Court.

**Sd/-
(G BASAVARAJA)
JUDGE**

GSR
List No.: 1 Sl No.: 28