



CNR: KAHC010135792026

NC: 2026:KHC:36749
CRL.A No. 340 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 17TH DAY OF JULY, 2026
BEFORE
THE HON'BLE MR. JUSTICE S RACHAIAH
CRIMINAL APPEAL NO. 340 OF 2026 (U/S 14(A) (2))

BETWEEN:

MR. KIRAN H. C,
S/O. RAJANNA,
AGED 33 YEARS,
R/AT G. HOSAHALLI
(TOTADA MANE),
NITTUR HOBLI, GUBBI TALUK,
TUMKURU – 572 216.

...APPELLANT

(BY SRI. B SIDDESWARA & CHANDAN B K., ADVOCATES)

AND:

1. THE STATE OF KARNATAKA
BY GUBBI POLICE STATION,
REPRESENTED BY
SPECIAL PUBLIC PROSECUTOR,
HIGH COURT BUILDING,
BENGALURU - 560 001.

Digitally
signed by
SUSHMA
LAKSHMI
B S

Location:
High
Court of
Karnataka



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2. SRI.MANOJ KUMAR.G.N,
S/O LATE NARASIMHAMURTHY,
AGED 29 YEARS,
R/AT OLD A.K.COLONY.
GUBBI TOWN,
TUMKUR DISTRICT – 572 216.

...RESPONDENTS

(BY SRI. M. V. ANOOPKUMAR., HCGP FOR R1;
R2 IS SERVED AND UNREPRESENTED)

THIS CRL.A. FILED U/S 14(A)(2) OF SC/ST (POA) ACT, 2015 BY THE ADVOCATE FOR THE APPELLANT/S PRAYING TO SET ASIDE THE ORDER DATED 12.12.2025, PASSED BY THE PRL. CITY CIVIL AND SESSIONS JUDGE AT BENGALURU, IN SPL.C.NO.2877/2022 (AIRISING OUT OF CRIME NO.131/2022 OF GUBBI POLICE STATON) AND CONSEQUENTLY ENLARGE THE APPELLANTS ON BAIL FOR THE OFFENCES P/U/S 109, 120B, 143, 147, 148, 212, 302, AND 201 R/W 149 OF IPC. SECTION.3d(2)(V) OF THE SC/ST (POA) ACT AND SECTIONS.3(1)(i)(ii)(iii) AND (iv) OF THE KCOC ACT.

THIS CRIMINAL APPEAL HAVING BEEN HEARD AND RESERVED ON 30.06.2026, COMING ON FOR PRONOUNCEMENT OF JUDGMENT, THIS DAY, THE COURT MADE THE FOLLOWING:-



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CORAM: HON'BLE MR. JUSTICE S RACHAIAH

CAV JUDGMENT

1. This criminal appeal is filed by the appellant/accused No.1 seeking regular bail being aggrieved by the order dated 12.12.2025 passed in Spl.C.C.No.2877/2022 on the file of Principal City Civil and Sessions Judge, Bengaluru, for the offences punishable under Sections 109, 120-B, 143, 147, 148, 212, 302 and 201 read with Section 149 of IPC and under Section 3(2)(v) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act and under Sections 3(1)(i)(2)(3)(4) of the Karnataka Control of Organized Crime Act.

Factual matrix of the case:

2. The case of the prosecution is that on 15.06.2022 at about 2.30 p.m., the complainant had lodged a complaint stating that at about 01.00 p.m., when the complainant was near Nelamangala, he received information that unknown persons had assaulted his father with iron rods near Durga



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Juice Shop, B.H. Road, Gubbi, Tumakuru. On receiving the said information the complainant went to Gubbi, thereafter he went to Government Hospital and saw that his father had sustained grievous injuries on all over body.

3. It is further stated that later, his father had succumbed to the said injuries. The complainant learnt from one Krishnappa who is stated to be the eye-witness that five to six persons came in a car, assaulted his father with iron rod and fled away in the same vehicle.

4. Based on the said complaint the respondent – Police have registered a case in Crime No.131/2022 for the offences stated *supra*, conducted investigation and submitted the charge-sheet.

5. Heard learned counsel for the respective parties.

6. Learned counsel for the appellant submits that the appellant has been in judicial custody since the date of his arrest i.e., from 24.06.2022. Initially, a complaint was lodged against unknown persons. Test identification parade was



conducted during the course of the investigation, however, material witnesses have not identified the assailants. The Investigating Officer has cited as many as 228 witnesses in the charge-sheet. Mere pendency of other criminal cases or invocation of KCOCA Act, cannot be a ground for rejection of bail.

7. It is further submitted that the appellant is aged about 33 years and permanent resident of Gubbi Taluk, G. Hosahalli. He will abide by the conditions to be imposed by this Court in the event of his release on bail. Making such submissions learned counsel for the appellant prays to allow the appeal.

8. *Per Contra*, learned High Court Government Pleader for respondent vehemently submitted that the present appellant is arrayed as accused No.1, he had enmity with the deceased Narasimhamurthy. On account of the said enmity he had killed the deceased in furtherance of common intention with others assailants. The KCOCA Act has been invoked against the appellant. If, the appellant is enlarged on bail there



may be chances of tampering the prosecution witnesses. Therefore, it is not appropriate to grant him bail. Making such submissions learned High Court Government Pleader prays to dismiss the appeal.

9. Having heard learned counsel for the respective parties and on perusal of the averments of the charge-sheet, it appears that on 27.04.2022 at about 08.00 p.m., the accused No.1 and others had joined for dinner in Sy.No.93 of Bikkegudda Village in Gubbi Taluk had entered into criminal conspiracy to commit murder of the deceased. Thereafter, accused No.1 sought help of accused Nos.04 to 08 and 11 to execute the said plan. The manner in which the appellant had committed murder of the deceased, certainly denotes its gravity. No doubt, it is an organized crime committed by the appellant and others. Having considered the involvement, gravity and circumstances of the case, it is not appropriate to grant the relief as prayed for in this appeal.

10. Hence, I proceed to pass the following:



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ORDER

This Criminal Appeal stands ***dismissed.***

**Sd/-
(S RACHAIAH)
JUDGE**

NM
List No.: 1 Sl No.: 1