



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF MAY, 2026

BEFORE

THE HON'BLE MR. JUSTICE S RACHAIAH

CRIMINAL PETITION NO. 4236 OF 2026 (439(Cr.PC) /
483(BNSS))

BETWEEN:

MR J NAGARAJ @ WILSON GARDEN NAGA
S/O JAYARAJ
AGED 35 YEARS,
R/O 101, 1 MAIN, 2ND CROSS,
VINAYAKANAGARA, ADUGODI,
BENGALURU- 560 030.

...PETITIONER

(BY SRI. SHIVAPRASAD SHANTANAGOUDAR., AND

SRI. GAURAV N, ADVOCATES)

AND:

1. THE STATE OF KARNATAKA
BY PARAPPANA AGRAHARA PS
REPRESENTED BY STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA
BENGALURU BENCH,
BENGALURU- 560 001.

2. SMT. MEGHANA EREGOWDA

(VIDE CHAMBER ORDER DATED 21.05.2026 PAGE NOS. 1 AND 2
CORRECTED AND REPLACED)

Digitally
signed by
PAVITHRA N

Location:
High Court of
Karnataka



W/O LATE MAHESH,
AGED ABOUT 27 YEARS,
R/AT NEAR PILEKAMMA TEMPLE,
MAVALLI, JAYANAGAR,
BENGALURU- 560 041.

...RESPONDENTS

(BY SMT. SOWMYA R., HCGP FOR R1;
SRI. NIRUPAN GOWDA H N., ADVOCATE FOR R2)

THIS CRL.P FILED U/S 439 CR.PC (FILED U/S 483 BNNS)
BY THE ADVOCATE FOR THE PETITIONER PRAYING THAT THIS
HONOURABLE COURT MAY BE PLEASED TO ENLARGE THE
PETITIONER ON BAIL IN THE EVENT OF HIS ARREST IN CRIME
NO. 345/2023, REGISTERED BY THE PARAPPANA AGRAHARA
POLICE STATION FOR THE OFFENCES PUNISHABLE UNDER
SEC.25(1AA) AND 25(1B(B)) OF ARMS ACT, 1959, SECTION
37, 38, 341, 427, 143, 144, 147, 148, 302, 307, 109, 201,
202, 204, 212, 120B R/W 149 OF IPC 1860, SECTION 3(2)(V)
AND 3(2)(va) OF SC/ST POA ACT, 1989 AND SECTION 3(1)(i),
3(2), 3(3), 3(4) AND 4 OF KCOCA ACT, 2000, PENDING
BEFORE THE PRL. CITY CIVIL AND SESSIONS JUDGE,
BENGALURU (CCH-1).

THIS PETITION, HAVING BEEN HEARD AND
RESERVED ON 19.05.2026 AND COMING ON FOR
PRONOUNCEMENT OF JUDGMENT, THE COURT DELIVERED THE
FOLLOWING:



CORAM: HON'BLE MR. JUSTICE S RACHAIAH

CAV ORDER

1. The petitioner is before this Court seeking regular bail in Crime No.345/2023 filed by the respondent – Parappana Agrahara Police Station for the offences punishable under Sections 25(1AA), 25(1BB) of Arms Act, 1959 and Sections 120(B), 341, 427, 143, 144, 147, 148, 37, 38, 302, 307, 109, 201, 202, 204, 212 read with 149 of Indian Penal Code, 1860.

Factual matrix of the case:

2. The case of the prosecution is that the complainant Smt. Meghana Eregowda entered into a love marriage with the deceased Mahesh on 08.06.2023. It is averred in the complaint that the husband of the complainant by name Mahesh was involved in real estate business and he was acquainted with the petitioner. Shanthinagar Linga was murdered in Hiresave, who was also a close associate of the petitioner. There was a difference of opinion between Linga and the petitioner. The deceased Mahesh was on the side of deceased Linga. As his friend Linga



was murdered in Hiresave, Mahesh was thinking that the petitioner had got him killed. As such, he developed animosity against the petitioner.

3. It is further stated that, as retaliation, the deceased Mahesh and his associates had committed the murder of one Mr. Madan, who was the close associate of the petitioner. The petitioner was unhappy and he developed animosity against the deceased Mahesh.
4. On 04.08.2023, deceased Mahesh was released from Central Prison, Bangalore, approximately at about 09.00 p.m. The complainant had been to receive him along with her associates. When they were proceeding towards the house in two different cars, it is alleged that, the car of the deceased Mahesh was attacked by unknown persons and they killed Mahesh. A complaint came to be registered by the complainant in that regard and the petitioner was arrested on 18.08.2023. The respondent - Police have submitted the charge sheet.
5. Heard Sri. Shivaprasad Shantanagoudar, learned counsel for the petitioner and Smt. Sowmya R., learned High



Court Government Pleader for respondent No.1 and Sri. Nirupan Gowda H.N., learned counsel for respondent No.2.

6. Learned counsel for the petitioner submits that the petitioner is innocent of the alleged offences and he has been falsely implicated in this case. No doubt, several cases were filed against the petitioner. However, the petitioner had been acquitted in all the cases. To substantiate his submission, learned counsel for the petitioner made available the memo along with a chart which discloses that the petitioner had been acquitted in all the cases except the present case.
7. It is further submitted that the petitioner is suffering from health issues and he is also taking treatment in the prison as well as in some other hospital, under the supervision of prison authority. The petitioner has to undergo thorough medical examination in different hospitals. Moreover, the charge has not yet been framed. There are 215 witnesses. There is likelihood of causing delay in conducting the trial. Such being the fact, greater



hardship would be caused to the petitioner. Hence, the petitioner may be enlarged on bail by imposing suitable conditions. He would abide by the conditions to be imposed in the event of his release on bail. Making such submission, learned counsel for the petitioner prays to allow the petition.

8. Per Contra, learned High Court Government Pleader for respondent No.1 - State has filed a statement of objections stating that this is a successive bail petition seeking regular bail relating to the Cr.No.345/2023 filed by the respondent - Police. The petitioner had approached this Court by filing a criminal petition in CrI.P.No.3195/2025. This Court had passed a detailed order and rejected the said bail petition with a direction to the Trial Court to speed up the trial and also directed the petitioner to approach this Court after examination of eyewitnesses. However, the petitioner had approached this Court before examination of eyewitnesses on the medical ground, which is unsustainable and therefore, the petition has to be rejected. Making such submissions,



learned High Court Government Pleader for respondent No.1 – State prays to reject the petition.

9. Learned counsel for the respondent No.2 adopted the arguments of learned High Court Government Pleader for respondent No.1 – State and prays to reject the petition.
10. Heard learned counsel for the respective parties and perused the averments of the charge-sheet. No doubt, the present petitioner had previously approached this Court by filing the criminal petition seeking regular bail. The Co-ordinate Bench of this Court passed an order on 21.07.2025 with a direction to the petitioner to renew the bail petition after examination of CW-59 to CW-67.
11. On going through the averments of the charge sheet, the allegations made against the petitioner in the said charge sheet are that he had provided vehicles to his associates and also monetary benefit to commit murder of deceased Mahesh. No doubt, seven cases were registered against the petitioner and he has been acquitted in all those cases. The overt act against the petitioner, as per the charge sheet, is that he is an abettor and he had



instructed his associates to commit the murder of deceased. Such being the case, keeping the petitioner in judicial custody for a considerable length of time, in my considered view, would not serve any purpose.

12. Be that as it may, the medical records appended to the petition would indicate that the petitioner needs thorough medical facilities for his ailments. Providing the medical facility is also a fundamental right and securing the speedy justice by conducting speedy trial is also one of the rights recognized under the Constitution of India. Violation of such rights, in my considered view, would be a sheer abuse of process of law. Hence, the petitioner is liable to be released on bail, on medical grounds.

13. Hence, I proceed to pass the following:

ORDER

- i. This Criminal Petition is ***allowed***.
- ii. The petitioner is ordered to be enlarged on bail in Spl.CC.No.226/2024 pending on the



file of Principal City Civil and Sessions Judge, Bengaluru, arising out of Crime No.345/2023 filed by the respondent-Police for the offences stated *supra*, on executing a personal bond for a sum of Rs.10,00,000/- (Rupees Ten Lakhs) with two (02) sureties for the like sum to the satisfaction of the Trial Court.

- iii. The petitioner shall not threaten or tamper the prosecution witnesses nor hamper with the proceedings of the Court.
- iv. The petitioner shall appear before the Trial Court on all hearing dates, without fail.
- v. The petitioner shall not indulge in any criminal cases till disposal of the case.
- vi. The petitioner shall not leave the jurisdiction of the Court till disposal of the case.



NC: 2026:KHC:24826
CRL.P No. 4236 of 2026

In case the petitioner violates any of the bail conditions stated *supra*, liberty is reserved to the prosecution to file necessary application for cancellation of bail.

Sd/-
(S RACHAIAH)
JUDGE

NM