



IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 19TH DAY OF JUNE, 2026
BEFORE
THE HON'BLE MR. JUSTICE S RACHAIAH
CRIMINAL APPEAL NO. 526 OF 2026 (U/S 14(A) (2))

BETWEEN:

1. NANI S
S/O. LATE YASOBO,
AGED ABOUT 18 YEARS,
R/O LINGAPURAM, GUNTURU,
ANDHRA PRADESH,
ALSO AT REHAB CENTER,
ADAKAMARANAHALLI,
BENGALURU RURAL,
BENGALURU – 562 162.
2. SHAHID AHMED
S/O. FAIROZ AHMED,
AGED ABOUT 31 YEARS,
D.J. HALLI OLD PS,
BESIDE URDU SCHOOL,
1ST CROSS, D.J. HALLI,
BENGALURU – 560 005.
3. HITESH KUMAR
S/O. KESHAVARAJU,
AGED ABOUT 34 YEARS,
R/O NO.7, 2ND FLOOR,

Digitally
signed by
SUSHMA
LAKSHMI
B S
Location:
High Court
of
Karnataka





HDSC LAYOUT, ULLAL,
NAGADEVANAHALLI,
BENGALURU – 560 056.

4. MANJUNATHA,
S/O. LATE MUNIRAJU,
AGED ABOUT 34 YEARS,
BESIDE BYAPPANAHALLI
METRO STATION SLUM,
BENGALURU – 560 055.
5. NAVEEN KUMAR
S/O. LATE SATHYANARAYANA,
AGED ABOUT 37 YEARS,
R/O N.5/4, BHANAKOLLI
STREET, SAIDAPET,
TAMIL NADU – 600 015.

...APPELLANTS

(BY SRI. RAJU C N., ADVOCATE)

AND:

1. STATE BY MADANAYAKANAHALLI
POLICE, BENGALURU,
REPRESENTED BY S.P.P.,
HIGH COURT OF KARNATAKA,
BANGALORE – 560 009.
2. ADILAKSHMI,
W/O. P N GOPI,



AGED ABOUT 43 YEARS,
R/AT. 72, 10TH CROSS,
SONNENAHALLI,
VIVEK NAGARA POST,
BENGALURU – 560 049.

...RESPONDENTS

(BY SRI. M V ANOOPKUMAR., HCGP FOR R1;
R2 IS SERVED THROUGH HAND SUMMONS)

THIS CRL.A. FILED U/S 14(A)(2) OF SC/ST (POA) ACT, 2015
PRAYING TO SET ASIDE THE ORDER DATED: 05/03/2026, PASSED
BY THE II ADDITIONAL DISTRICT AND SESSIONS JUDGE AND
SPECIAL JUDGE, BANGALORE RURAL DISTRICT, BANGALORE, IN
CRL.MISC.NO.41/2026 ARISING OUT OF CRIME NO.999/2025 OF
MADAYANAKANAHALLI POLICE, BANGALORE, AND ENLARGE THE
APPELLANTS ON BAIL, FOR THE OFFENCE P/U/S 105, 115(2),
118(1)(2), 238, 127(2) R/W 3(5)(6)(7) OF BNS AND SECTIONS
3(2)(v) OF SC/ST (PREVENTION OF ATROCITIES) ACT.

THIS APPEAL, HAVING BEEN HEARD AND RESERVED ON
11.06.2026, COMING ON FOR PRONOUNCEMENT OF JUDGMENT,
THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE S RACHAIAH



CAV JUDGMENT

1. This appeal is filed by the appellants/accused Nos.4 to 8 seeking to set aside the order dated 05.03.2026 passed in Crl.Misc.No.41/2026 by the learned II Additional District and Sessions Judge and Special Judge, Bengaluru Rural District, Bengaluru, arising out of Crime No.999/2025 registered by Madanayakanahalli Police Station and enlarge the appellants on bail, for the offences punishable under Sections 105, 115(2), 118(1)(2), 127(2), 238 r/w 3(5)(6)(7) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short 'SC/ST (POA) Act').

Brief facts of the case:-

2. The case of the prosecution is that, on 27.11.2025 at about 09.00 p.m., Smt. Adilakshmi lodged a complaint stating that she was living with her family. On 12.11.2025, around 01.30 a.m., her son Darshan was shouting outside the house. On hearing the same, she



and her elder son Ajith came out of the house and saw that two persons in police uniform and one person in colour dress were beating her son Darshan. She enquired as to why they were beating him. The so-called police have told her that her son was threatening the Zomato delivery boys by holding a knife. Thereafter, they took him into their custody and escorted him to the police station.

3. On the following day, i.e., 13.11.2025, at about 01.30 p.m., she went to Viveknagar police station and requested one of the police officials, namely Pavan, to release her son. However, they refused to release him and asked her to meet the Inspector. Thereafter, on 14.11.2025, at about 06.30 p.m., she went to Viveknagar Police Station and met the Inspector. The said Inspector also informed her that he would make necessary arrangements to get her son admitted to the rehabilitation centre.



4. Her son Darshan joined the rehabilitation centre at the instance of police officials. However, the appellants had committed the murder of her son by way of torture and brutal assault. Therefore, she lodges a complaint before the respondent - police. The respondent - police have registered a case and conducted the investigation and submitted the charge sheet.
5. Heard Sri. Raju C.N., learned counsel for the appellants and Sri. M.V. Anoopkumar, learned High Court Government Pleader for respondent No.1 - State. Respondent No.2 is served, unrepresented.
6. Learned counsel for the appellants submitted that the appellants are shown as accused Nos.4 to 8 in the charge sheet. The appellants are the workers of the Unity Social Trust Rehabilitation Centre. They have been arrested on 24.12.2025. They have been falsely implicated in this case. In fact, no such incident had occurred. They have not assaulted the deceased and the alleged death had not



taken place on account of the deceased belonging to the Scheduled Caste.

7. It is further submitted that the charge sheet has been submitted against the appellants for the offence under Section 105 of BNS, which deals with punishment for culpable homicide not amounting to murder. The said offence is neither punishable with death nor imprisonment for life. Therefore, they may be enlarged on bail by imposing suitable conditions. They would abide by the conditions to be imposed in the event of their release on bail. Making such submissions, learned counsel for the appellants prays to allow the appeal.
8. *Per contra*, learned High Court Government Pleader for the respondent No.1 – State vehemently submitted that the appellants, who were working as officials of the rehabilitation centre, have assaulted and caused injuries to the deceased. As per the charge sheet, there are a number of inmates of the rehabilitation centre who are stated to be the eyewitnesses to the incident. If these appellants are enlarged on bail, there may be chances of



tampering with the prosecution witnesses. Hence, it is not proper to grant them bail. Making such submissions, the learned High Court Government Pleader for the respondent No.1 – State prays to reject the appeal.

9. Having heard learned counsel for the respective parties and on perusal of the averments of the charge sheet, it appears that the deceased had expressed his intention to escape from the rehabilitation centre with CWs.5 to 9. C.W.10 being an inmate of the said centre, had informed the said fact to the management. Accused No.2 is stated to have assaulted the deceased with fibre lathi and belt. Similarly, accused Nos.3, 4, 5, 6 and other accused, who were admitted as patients, had also assaulted the deceased Darshan, consequently, the deceased succumbed to the said injuries.
10. Having gone through the averments of the charge sheet, it appears that it is a case of custodial death, which is considered as one of the most brutal forms of murder. Therefore, after having considered the gravity of the



offence and other relevant circumstances, I am of the considered opinion that the appellants do not deserve any relief. Hence, I proceed to pass the following:-

ORDER

The Criminal Appeal stands *dismissed*.

Sd/-
(S RACHAIAH)
JUDGE

Bss
List No.: 1 Sl No.: 1