



IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 15TH DAY OF JUNE, 2026
BEFORE
THE HON'BLE MR. JUSTICE S RACHAIAH
CRIMINAL APPEAL NO. 561 OF 2026 (U/S 14(A) (2))

BETWEEN:

SRI DRUVAKUMAR @ DRUVAM
S/O VIJAYAKUMAR,
AGED ABOUT 24 YEARS,
RESIDING AT MELAPURA VILLAGE,
SRIRANGAPATNA TALUK,
MANDYA DISTRICT – 571 438.

...APPELLANT

(BY SRI. RAJANNA C., ADVOCATE)

AND:

1. STATE OF KARNATAKA
BY NAZARBAD POLICE STATION,
MYSURU CITY, MYSURU DISTRICT,
REPRESENTED BY ITS S.P.P.,
HIGH COURT BUILDING,
BANGALORE – 560 001.



2. SRI. MANJUNATH
S/O LATE NARAYANA,
AGED ABOUT 42 YEARS,
AUTO DRIVER,
RESIDING AT
MANCHEGOWDANA KOPPALU,
KATTE HOSURU, MYSURU CITY,
MYSURU DISTRICT – 570 017.

...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 THAT THIS HONBLE COURT MAY BE PLEASED TO SET ASIDE THE ORDERS DATED 11.03.2026 PASSED IN SPL.C.NO.46/2026 IN CR.NO.131/2025 OF NAZARBAD POLICE STATION, MYSURU CITY, MYSURU DISTRICT FOR AN OFFENCE P/U/S 189(2), 189(4), 191(2), 191(3), 61(2), 103(1) R/W SEC.190 OF BNS AND SEC.3(2)(v) OF SC/ST (POA) ACT 1989, PENDING ON THE FILE OF THE VI ADDL. DISTRICT AND SPECIAL JUDGE, MYSURU CITY, MYSURU DISTRICT AND GRANT BAIL TO THE APPELLANT BY ALLOWING THIS APPEAL.

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

CORAM: HON'BLE MR. JUSTICE S RACHAIAH



ORAL JUDGMENT

This appeal has been filed by the appellant, who is arrayed as accused No.6 in Cr.No.131/2025 filed by the respondent-Police for the offence punishable under Sections 189(2), 189(4), 191(2), 191(3), 61(2). 103(1), 190 r/w 190 of Bharatiya Nyaya Sanhita, 2023 and Section 3(2)(v) of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. The case of the prosecution is that a complaint came to be registered by the complainant stating that on 07.10.2025 at about 11.20 am., his friend Sri.Naga had called him over the phone and informed him that the car belongs to his elder brother is there near Jwalamukhi Circle at Nazarbad and his elder brother was murdered. On receiving the said information, the complainant rushed to the place of incident and found that his brother Venkatesh @ Gili Gili Venkatesh lying in the pool of blood. The complainant thereafter learnt that the appellant and others have committed murder of his brother and fled away from the spot in an auto and two-wheeler vehicles. Therefore, he lodged a complaint against



Kesare Keerthi and others. The respondent-Police have conducted investigation. During investigation, the name of the present appellant was included as one of the accused. After conducting the investigation, the respondent-Police submitted charge sheet.

3. The submission of the learned counsel for the appellant is that the appellant is innocent of the alleged offences. Though the averments of the charge sheet would indicate that the appellant was present along with the other accused, the fact remains that, no overt act has been made against him. The appellant is working as an auto driver for his livelihood and he is the earning member of the family. 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.

4. *Per contra*, learned High Court Government Pleader for respondent No.1-State vehemently submitted that the appellant who is arrayed as accused No.6 was also present along with the other accused who committed the murder of the brother of the complainant. In fact, he was also present at the



place as one of the conspirators. Such being the fact, he is not entitled for any relief. Making such submissions, learned High Court Government Pleader prays to reject the appeal.

5. Having heard the learned counsel for the respective parties and on perusal of the averments of the charge sheet, it would indicate that Manjunath who is the brother of the deceased Venkatesh @ Gili Gili Venkatesh had lodged a complaint against Kesare Keerthi and others. Based on the said complaint, the respondent-Police have registered a case and conducted investigation. During investigation, the name of the present appellant found a place in the charge sheet. On going through the averments of the charge sheet, it appears that no specific overt act is attributed against the appellant. Having considered the said aspect, it is appropriate to grant the relief as prayed for in the appeal by imposing suitable conditions that would take care of the apprehension of the prosecution. Hence, I proceed to pass the following:

ORDER

- i) The Criminal Appeal is ***allowed***.



ii) The impugned order passed by the learned VI Additional District and Special Judge, Mysuru in Spl.C.No.46/2026 dated 11.03.2026 is set aside.

iii) The appellant is directed to be enlarged on bail in Crime No.131/2025 of Nazarbad Police Station, registered for the offences punishable under Sections 189(2), 189(4), 191(2), 191(3), 61(2). 103(1), 190 r/w 190 of Bharatiya Nyaya Sanhita, 2023 and Section 3(2)(v) of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989, subject to the following conditions:

- a) The appellant shall execute a personal bond for a sum of Rs.2,00,000/- (Rupees Two Lakhs Only) with two sureties for the likesum, to the satisfaction of the jurisdictional Court.
- b) The appellant shall not threaten the prosecution witnesses.
- c) The appellant shall not tamper with the Court proceedings.
- d) The appellant shall not leave the jurisdiction of the Court till disposal of the case.



e) The appellant shall not involve in any other criminal cases or such similar cases in future till disposal of the present case.

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

Sd/-
(S RACHAIAH)
JUDGE