



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE S RACHAIAH

CRIMINAL PETITION NO. 4922 OF 2026

(439(Cr.PC) / 483(BNSS))

BETWEEN:

SHEKHARA
AGED ABOUT 42 YEARS
S/O LATE KALEGOWDA
R/O GULUVINA ATTIGUPPE
VILLAGE MIRLE HOBLI
SALIGRAMA TALUK
MYSURU DIST -570026

...PETITIONER

(BY MR. SYED AKBAR PASHA, ADVOCATE)

AND:

THE STATE OF KARNATAKA
BY SALIGRAMA POLICE STATION
R/P BY STATE PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA

Digitally
signed by
PAVITHRA
N
Location:
High Court
of
Karnataka





BENGALURU – 560 001.

...RESPONDENT

(BY MS. ASMA KOUSER, ADDL. SPP)

THIS CRIMINAL PETITION IS FILED U/S 439 OF CODE OF CRIMINAL PROCEDURE (FILED U/S 483 BNNS) BY THE ADVOCATE FOR THE PETITIONER PRAYING TO GRANT REGULAR BAIL IN CRIME NO 62/2026 REGISTERED BY THE RESPONDENT SALIGRAMA POLICE STATION FOR THE OFFENCES PUNISHABLE UNDER SECTIONS 352, 109(1), 351(2), 351(3) OF BNS ACT, WHICH IS PENDING ON THE FILE LD. ADDL. CIVIL JUDGE (JR.DN.) AND JMFC COURT AT K.R.NAGARA, MYSURU. THE VIII ADDL. DISTRICT AND SESSIONS JUDGE, MYSURU.

THIS PETITION, COMING ON FOR FINAL HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE S RACHAIAH



ORAL ORDER

1. The petitioner/accused is before this Court seeking regular bail in Crime No.62/2026 filed by the respondent-police, for the offences under Sections 352, 109(1), 351(2), 351(3) of the Bharatiya Nyaya Sanhita, 2023 (for short, 'BNS').

Brief facts of the case:

2. The case of the prosecution is that the mother-in-law of the complainant, by name Manjula, and the petitioner are the own brother and sister. The land bearing Sy.No.3/1 of Guluvina Attiguppe village belongs to their father. Petitioner was demanding his sister to give consent to change the khata into his name. The mother-in-law of the complainant had initially agreed, however, she had refused to sign the paper in the later stage. Thus being the fact, on 17.02.2026, at about 07.30 p.m., the petitioner went near the house of the complainant and started abusing in a filthy language. The husband of the complainant, namely Jaya Kumar, tried to pacify the petitioner. However, the petitioner was having sickle in



his hand and assaulted the injured with an intention to commit his murder. Consequently, the injured had sustained severe bleeding injuries and also, he threatened them with dire consequences. Hence this complaint. The respondent – police registered a case and conducting investigation.

3. Heard Mr. Syed Akbar Pasha, learned counsel for the petitioner and Ms. Asma Kouser, learned Addl. SPP for the respondent - State.
4. The submission of the learned counsel for the petitioner is that the petitioner has been falsely implicated in this case. He had no intention to commit the murder of either the injured or anybody. However, the petitioner, who is younger brother of the mother of the injured, had asked his sister to sign the paper to get the khata done in respect of Sy.No.3/1 of Saligrama Village.
5. It is further submitted that, in order to avoid him to get the signature of the mother-in-law of the complainant, her husband tried to assault his maternal uncle/petitioner. In the meantime, the incident had occurred due to sudden provocation.



6. It is further submitted that the petitioner is the earning member of the family and he is aged about 42 years and a permanent resident of Saligrama, Mysuru District. He will abide by the conditions to be imposed by this Court, in the event of his release on bail. Making such submissions, the learned counsel for the petitioner prays to allow the petition.
7. *Per contra*, learned Additional SPP for the respondent - State vehemently submitted that the petitioner, being a maternal uncle of the injured, had assaulted him with a sickle and caused grievous injuries. The manner in which he had assaulted would indicate that he had intention to commit the murder of the injured. However, the injured has survived by the timely intervention of the complainant and her relatives and friends. If the petitioner is enlarged on bail, there may be chances of committing similar offences and also there are chances of threatening the prosecution witnesses. Hence, it is not appropriate to grant bail till completion of the evidence of the material witnesses. Making such submissions, learned Addl. SPP prays to reject the petition.



8. Heard learned counsel for the respective parties and perused the averments of the complaint and the FIR. It appears that the petitioner is the maternal uncle of the injured. There was a dispute between the mother of the injured and the petitioner in respect of the property bearing Sy.No.3/1 of Saligrama village. On 17.02.2026, around 07.30 p.m., the incident had occurred. However, it appears that the petitioner had no intention to commit murder of the injured. Having considered the nature, gravity and also other circumstances, it is appropriate to grant him bail, by imposing suitable conditions that would take care of the apprehension of the prosecution.
9. Hence, I proceed to pass the following:-

ORDER

- (i) The Criminal Petition is ***allowed.***
- (ii) The petitioner is ordered to be enlarged on bail in Crime No.62/2026 registered by the respondent-police for the offences stated supra, on executing a personal bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) with



one surety for the likesum to the satisfaction of the Trial Court.

(iii) The petitioner shall not threaten or tamper with the prosecution witnesses nor hamper 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.

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

Sd/-
(S RACHAIAH)
JUDGE

Bss
List No.: 1 Sl No.: 56