



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. 595 OF 2026 (U/S 14(A)(1) of
SC/ST Act.)**

BETWEEN:

LAKSHMIKANT S
S/O SRINIVAS BABU
AGED ABOUT 27 YEARS
RESIDING AT NO.04
2ND CROSS, MUNE KOLALA
NEAR OM SHAKTHI TEMPLE
LAKSHMI LAYOUT
BENGALURU-560037.

...APPELLANT

(BY SRI. RAJU C.N., ADVOCATE)

AND:

1. STATE BY
MADANAYAKANAHALLI POLICE
BANGALORE,
REPRESENTED BY SPP
HIGH COURT OF KARNATAKA AT
BANGALORE -560009.
2. ADILAKSHMI
W/O P N GOPI
AGED ABOUT 43 YEARS
R/AT 72, 10TH CROSS
SONNENAHALLI

Digitally
signed by
SUSHMA
LAKSHMI
B S

Location:
High Court
of
Karnataka



VIVEK NAGARA POST
BENGALURU-560047.

...RESPONDENTS

(BY SRI. M.V. ANOOPKUMAR, HCGP FOR R1;
VIDE ORDER DATED 04.06.2026,
NOTICE TO R2 IS HELD SUFFICIENT)

THIS CRL.A. IS FILED U/S 14(A)(2) OF SC/ST (POA) ACT, 2015 PRAYING TO SET ASIDE THE ORDER DATED 25.03.2026 PASSED BY THE 2ND ADDITIONAL DISTRICT AND SESSIONS JUDGE AND SPECIAL JUDGE, BANGALORE RURAL DISTRICT BANGALORE IN CRL.MISC NO.420/2026 ARISING OUT OF CRIME NO.999/2025 OF MADANAYAKANAHALLI POLICE, BANGALORE AND ENLARGE THE APPELLANT ON BAIL FOR THE OFFENCE P/U/S 105, 115(2), 118(1)(2), 127(2), 238 R/W 3(5)(6)(7) OF BNS AND SECTIONS 3(2)(v) OF SC/ST (POA) ACT.

THIS CRIMINAL APPEAL, HAVING BEEN HEARD AND RESERVED ON 11.06.2026 AND COMING ON FOR PRONOUNCEMENT OF JUDGMENT, THE COURT DELIVERED THE FOLLOWING:

CORAM: HON'BLE MR. JUSTICE S RACHAIAH



CAV JUDGMENT

1. This appeal is filed by the appellant/accused No.1 seeking to set aside the order dated 25.03.2026 passed in Crl.Misc.No.420/2026 by the learned II Additional District and Sessions Judge and Special Judge, Bengaluru Rural District, Bengaluru and to enlarge him on bail in Crime No.999/2025 registered by Madanayakanahalli Police Station 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 Sections 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 accused 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. Raja C.N., learned counsel for the appellant and Sri. M.V. Anoopkumar, learned High Court Government Pleader for respondent No.1 – State.
6. Learned counsel for the appellant submits that the appellant, who is arraigned as accused No.1, is the owner of the rehabilitation centre and as on the date of the alleged incident, he was not present at the spot. The allegations made against the appellant are that he instructed the other accused to assault the deceased Darshan and also directed them to see that he should not escape from the rehabilitation centre.
7. It is further submitted that none of the witnesses has stated that the appellant had assaulted the deceased either by using lathi or belt. Moreover, the alleged assault had not taken place on account of the deceased belonging to the scheduled caste. Therefore, the



appellant 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 submissions, the learned counsel for the appellant prays to allow the appeal.

8. *Per contra* learned High Court Government Pleader for respondent No.1 - State vehemently submitted that the appellant was running a rehabilitation centre. The deceased Darshan got admitted to the said centre as an alcohol-addicted patient. It is alleged that the deceased had expressed his intention to escape from the custody. The said fact was disclosed to the management by C.W.10. As a result of the said information, the deceased Darshan was brutally assaulted at the instruction of the appellant. The manner in which the appellant and others killed the deceased Darshan is inhuman and barbaric. Therefore, it is not appropriate to allow the appeal. 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, though it appears that the appellant was also present at the time of the alleged assault, the fact remains that none of the witnesses stated in the charge sheet have spoken about his presence. His name has been included only on the basis of statement of co-accused. Having considered the facts and circumstances of the case, it is appropriate to grant the relief as prayed for.

10. Hence, I proceed to pass the following:-

ORDER

- i) The Criminal Appeal is *allowed*.
- ii) The order dated 25.03.2026 passed in CrI.Misc.No.420/2026 by the learned II Additional District and Sessions Judge and Special Judge, Bengaluru Rural District, Bengaluru is set aside.
- iii) The appellant / accused is ordered to be enlarged on bail in Crime No.999/2025 of respondent No.1 - police, 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, subject to the following conditions:-

- a) The appellant shall not threaten or tamper the prosecution witnesses nor hamper the proceedings of the Court.
- b) The appellant shall appear before the Trial Court on all hearing dates without fail.

Sd/-
(S RACHAIAH)
JUDGE

Bss
List No.: 1 Sl No.: 2