



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE S RACHAIAH

CRIMINAL APPEAL NO. 625 OF 2026 (U/S 14(A) (2))

BETWEEN:

1. SMT. AMBIKA,
AGED ABOUT 38 YEARS,
W/O MADESHA @ SHAGYA MADESH,
RESIDENT AT MATRAHALLI VILLAGE,
SHAGYA GRAMA, KOLLEGALA TALUK,
CHAMARAJANAGAR - 571 440.
2. SRI. DODDAIAH @ DODDAIAH THAMBADI,
AGED ABOUT 35 YEARS
S/O KALLA THAMBADI,
R/A SULVADI VILLAGE,
KOLLEGALA TALUK,
CHAMARAJANAGAR - 571 440.

...APPELLANTS

(BY SRI. PRAVEEN C., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
RAMPURA POLICE STATION,
KOLLEGALA,
CHAMARAJANAGAR - 571 440.
REPRESENTED BY THE S.P.P.,
HIGH COURT BUILDING,

Digitally
signed by
SUSHMA
LAKSHMI B
S

Location:
High Court
of Karnataka



BENGALURU - 560 001.

2. RAJAMMA,
AGED ABOUT 40 YEARS,
W/O SIDDA,
R/A DORAISWAMY MEDU,
RAMPURA HOBLI,
KOLLEGALA TALUK,
CHAMARAJANAGAR - 571 440.

...RESPONDENTS

(BY SRI. M. V. ANOOPKUMAR., HCGP FOR R1;
R2 IS SERVED AND UNREPRESENTED)

THIS CRL.A. IS FILED U/S.14(A) (2) OF SC/ST (POA) ACT, 2015 BY THE ADVOCATE FOR THE APPELLANT/S PRAYING THAT THIS HON'BLE COURT MAY BE PLEASED TO SET ASIDE THE ORDER DATED 03.02.2026, PASSED BY THE HON'BLE PRINCIPAL DISTRICT AND SESSIONS JUDGE AT CHAMARNARAJANAGAR, IN SPL.C.NO.72/2019 (CR.No.266/2018), REGISTERED BY THE RAMPURA POLICE STATION, CHAMARAJANAGARA, FOR AN OFFENCE P/U/S 118, 120(B), 326, 307 AND 302 R/W SEC.34 OF IPC AND SEC.3d(2)(v)(va) OF SC/ST (POA) ACT.

THIS CRIMINAL APPEAL HAVING BEEN HEARD AND RESERVED ON 17.06.2026, COMING ON FOR PRONOUNCEMENT OF JUDGMENT, THIS DAY, THE COURT MADE THE FOLLOWING:-

CORAM: HON'BLE MR. JUSTICE S RACHAIAH



CAV JUDGMENT

1. The appellants who are arrayed as accused Nos. 2 and 3 are before this Court seeking regular bail on the medical ground in Spl. Case No. 72/2019, arising out of Cr.No.266/2018 of respondent police, pending on the file of the learned Prl. District and Sessions Judge, Chamarajnagar for the offences punishable under Sections 118, 120(B), 326, 307 and 302 read with Section 34 of IPC and Sections 3cl(2)(v)(va) of SC/ST (POA) Act.

Factual matrix of the case:

2. The case of the prosecution is that, the complainant had visited the temple viz., Kichugathi Maramma Temple, Sulavadi on 14.12.2018. In the said temple, Prasadam was being distributed to the devotees who were present in the said temple. It is alleged that, after consuming the said prasadam, the devotees started suffering from severe health issues, consequently, 17 persons died, 27 crows and one myna bird lost their breath. Hence, the complaint was registered against the appellants.



3. Based on the said complaint, the respondent police registered a case in Cr.No.266/2018 and conducted investigation. After completion of investigation, the charge sheet was submitted.
4. Heard Sri. Praveen C, learned counsel for the appellants and Sri. M.V. Anoopkumar, learned HCGP for respondent No.1.
5. It is the submission of learned counsel for the appellant that this is a successive bail application filed on medical grounds. In addition to the said ground, one more ground is that, the trial has been conducted in a race of tortoise and there is no signs of completing the trial at the earliest. Hence, the appellants may be enlarged on bail on medical grounds to enable them to take better treatment in the hospital of their choice. Taking a treatment of their own choice is a fundamental right and it is not required to be curtailed by the delayed trial. Making such submissions, learned counsel for the appellants prays to allow the appeal.



6. Per contra, learned HCGP for respondent No.1 - State vehemently submitted that the gravity and nature of the offense is entirely different from an ordinary case. In fact, the appellants, along with others, committed the gruesome murder of 17 persons and innocent birds (viz., crows and mynas). Therefore, these appellants are not entitled to any relief. Moreover, the Trial Court is conducting the trial on a day-to-day basis, and the majority of the material witnesses have already been examined. There is no delay in conducting the trial, as alleged in the appeal. Furthermore, the documents submitted by the appellants regarding their health conditions are insufficient to grant relief, given that suitable treatment will be provided as per the jail manual. If necessary, the appellants may request the jail authorities for treatment at a hospital of their choice. Therefore, the appeal may be dismissed. Making such submissions, the learned HCGP prays to dismiss the appeal.



7. Having heard learned counsel for the respective parties and on perusal of the findings of the Trial Court and submissions made by the learned counsel for the appellants, I find no good grounds to interfere with the order of the appellate Court in rejecting the bail application. Without adverting the merit of the case, I declined to grant any relief. Moreover, this is a successive bail application and the medical reports made available along with the appeal are not sufficient to arrive at a conclusion that the appellants are required medical assistance of their choice for the disease mentioned in the said records.
8. In the light of the aforesaid discussion, I proceed to pass the following:

ORDER

- The criminal appeal stands ***dismissed***.

Sd/-
(S RACHAIAH)
JUDGE