



IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 9TH DAY OF JULY, 2026
BEFORE
THE HON'BLE MR. JUSTICE S RACHAIAH
CRIMINAL APPEAL NO. 627 OF 2026 (U/S 14(A) (2))

BETWEEN:

SRI. VASANTHAKUMAR G.L.
SON OF LINGACHARI,
AGED ABOUT 45 YEARS,
RESIDING AT: GANJIGUNTE VILLAGE,
BASHETTIHALLI HOBLI,
CHINTAMANI TALUK,
CHIKKABALLAPURA
DISTRICT - 562 101.

...APPELLANT

(BY SRI. TIGADI G VEERANNA., ADVOCATE)

AND:

1. STATE OF KARNATAKA BY
DIBBURAHALLI P.S.,
CHIKKABALLAPUR
DISTRICT - 562 101.
REPRESENTED BY
STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BENGALURU - 560 001.



2. SRI. NARASIMHAMURTHY
SON OF VENKATESHAPPA,
AGED ABOUT 40 YEARS,
RESIDING AT: GANJIGUNTE VILLAGE,
BASHETTIHALLI HOBLI,
SHIDLAGHATTA TALUK,
CHICKBALLAPURA - 562 105.

...RESPONDENTS

(BY SRI. M V ANOOPKUMAR., HCGP FOR R1;
SRI. NISHIT KUMAR SHETTY., ADVOCATE FOR R2)

THIS CRL.A FILED U/S 14(A)(2) OF SC/ST (POA) ACT 2015 R/W SECTION.482 OF BNSS 2023, BY THE ADVOCATE FOR THE APPELLANT PRAYING TO SET ASIDE THE ORDER DATED 18.03.2026 ON ANTICIPATORY BAIL APPLICATION FILED BY THE ACCUSED/APPELLANT UNDER SEC.482 OF BNSS 2023, PASSED BY THE HON'BLE I ADDL. DISTRICT AND SESSIONS JUDGE AT CHIKKABALLAPURA IN CRL.MISC.NO.104/2026. CONSEQUENTIALLY ENLARGE THE ACCUSED/APPELLANT ON ANTICIPATORY BAIL IN THE EVENT OF HIS ARREST IN CR.NO.23/2026 REGISTERED BY THE DIBBURAHALLI P.S. FOR THE ALLEGED OFFENCE P/U/S 115(2), 351(2) 352 OF BNS 2023 AND SEC.3(1)(r), 3(1)(s) OF SC/ST (POA) ACT AMENDMENT ACT , 2015.

THIS CRIMINAL APPEAL HAVING BEEN HEARD AND RESERVED ON 09.06.2026, COMING ON FOR PRONOUNCEMENT OF JUDGMENT, THIS DAY, THE COURT MADE THE FOLLOWING:-



CORAM: HON'BLE MR. JUSTICE S RACHAIAH

CAV JUDGMENT

This appeal has been filed by the appellant who is the accused in this case, seeking regular bail in Cr.No.23/2026 filed by the respondent-Police for the offences punishable under Sections 115(2), 351(2), 352 of Bharatiya Nyaya Sanhita, 2023 and Sections 3(1)(r) and 3(1)(s) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Amendment Act, 2015.

Brief facts of the case:

2. A complaint came to be registered by one Mr.Narasimhamurthy stating that he belongs to Adi Karnataka Caste which is considered as Scheduled Caste. When he went to bring snacks at the bakery situated at Ganjigunte Circle, one Ramakrishna who was sitting next to the bakery on the bench along with the shop owner including the appellant herein were discussing that 'influence of the Madigas in the Panchayat has been increased and it has to be diminished'. On hearing the said discussions, the complainant has enquired as to why they



were discussing about the Madigas in such a way in the public place. At that time, the appellant allegedly scolded the complainant by naming his caste and also assaulted him.

3. Based on the said complaint, the respondent-Police have conducted investigation and the investigation is under progress.

4. Learned counsel for the appellant submits that the appellant was neither directly nor indirectly involved in the commission of offences as alleged against him. In fact, it was the appellant who lodged a complaint against the villagers and the same has been registered in Cr.No.22/2026. As a counter blast, the respondent No.2 filed a false complaint against the appellant.

5. It is further submitted that even on going through the averments of the complaint, no case is made out to attract the ingredients of the provisions of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Amendment Act, 2015. Therefore, the bar envisaged under the act does not get attracted. Hence, the appeal may be allowed and the appellant



may be enlarged on bail. Making such submissions, the learned counsel for the appellant prays to allow the appeal.

6. *Per contra*, learned High Court Government Pleader for State vehemently submitted that the averments of the complaint clearly establishes the language which indicates the insult made in the public respect of the scheduled caste, which would attract the ingredients of the provisions of the Act. Therefore, there is a bar under Section 18 of the Act. Hence, the appeal has to be dismissed. Making such submissions, learned HCGP prays to reject the appeal.

7. Having heard the learned counsel for the respective parties and also on perusal of the averments of the complaint, the appellant along with others who were discussing about the particular caste in the public view in order to insult and degrade of the persons belonged to that particular community. The said words *prima facie* attracts the ingredients of the provisions of SC/ST (POA) Act. Moreover, there is a bar under Section 18 of the SC/ST (POA) Act. Having considered the said aspect, it is appropriate to dismiss the appeal. Hence, I proceed to pass the following:



ORDER

The appeal stands ***dismissed***.

**Sd/-
(S RACHAIAH)
JUDGE**

NR
List No.: 1 Sl No.: 60