



IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 5TH DAY OF JUNE, 2026
BEFORE
THE HON'BLE MR. JUSTICE S RACHAIAH
CRIMINAL APPEAL NO. 623 OF 2026 (U/S 14(A) (2))

BETWEEN:

MR. JAGADISH. N. RAYACHUR,
S/O NARAYANAPPA,
AGED ABOUT 37 YEARS,
R/AT NO.231, GORBAL VILLAGE,
GORBAL POST, HUNGUND,
BAGALKOTE DISTRICT – 587 154.

...APPELLANT

(BY SRI. SHANKAR H S., ADVOCATE)

AND:

1. STATE OF KARNATAKA
BY AVALAHALLI POLICE STATION,
REP. BY STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDING,
BANGALORE – 560 001.
2. MR.RAJU,



S/O YANKAPPA,
AGED ABOUT 26 YEARS,
R/AT BASAVANNA CAMP,
KARATAGI,
KOPPAL DISTRICT - 583 229.

...RESPONDENTS

(BY Ms. ASMA KOUSER., ADDL. SPP FOR R1;
R2 IS SERVED AND UNREPRESENTED)

THIS CRL.A FILED U/S 14(A)(2) OF SC/ST (POA) ACT BY THE ADVOCATE FOR THE APPELLANT/S PRAYING THAT THIS HONOURABLE COURT MAY BE PLEASED TO SET ASIDE THE ORDER DATED 13.03.2026 PASSED BY THE HON'BLE II ADDL. DISTRICT AND SESSIONS JUDGE AND SPECIAL JUDGE, BENGALURU RURAL DISTRICT, BENGALURU IN CRL.MISC.NO.374/2026, AND ENLARGE THE APPELLANT ON ANTICIPATORY BAIL IN CR.NO.33/2026 OF AVALAHALLI P.S., REGISTERED FOR THE OFFENCES P/U/S 137(2), 115(2), 127(2), 352, 351(2), 190 OF BNS, U/S 3(1)(r), 3(1)(s), 3(2)(v-a) OF SC/ST (POA) ACT, 1989 AND ETC.,

THIS CRIMINAL APPEAL, HAVING BEEN HEARD AND RESERVED ON 03.06.2026, COMING ON FOR PRONOUNCEMENT OF JUDGMENT, THIS DAY, THE COURT MADE THE FOLLOWING:-

CORAM: HON'BLE MR. JUSTICE S RACHAIAH



CAV JUDGMENT

1. This appeal has been filed by the appellant/accused seeking grant of anticipatory bail in Cr.No.33/2026 of the respondent police for the offences punishable under Sections 137(2), 115(2), 127(2), 352, 351(2) read with Section 190 of Bharatiya Nyaya Sanhita, 2023 (for short, 'BNS') and Sections 3(1)(r)(s) and 3(2) (v-a) of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) (for short, 'SC/ST') Act, 1989.

The Brief facts of the case:

2. The case of the prosecution is that the complainant belongs to Chalavadi Community and he had borrowed an amount of Rs.50,000/- from accused No.1 as advance for his driver work. However, instead of working with accused No.1, he went to Bengaluru. On 02.01.2026, it is alleged that the appellant along with four others abducted the complainant and assaulted and humiliated him. It is further alleged that the persons who had abducted the complainant claimed to be the police officers. The complainant was taken to a garage in Karatagi and he



was tied up and he was abused verbally. It is further alleged that they extorted an amount of Rs.11,000/- from him. Hence, the complaint.

3. Based on the said complaint, the respondent police registered a case in Cr.No.33/2026 against the petitioner and are conducting the investigation. In the meantime, the appellant has preferred this appeal for seeking anticipatory bail.
4. Heard Sri. Shankar H.S., learned counsel for the appellant and Ms. Asma Kouser, learned Addl. SPP for respondent-State.
5. It is the submission of the learned counsel for the appellant that the averments of the complaint indicate that the alleged incident occurred inside a car, which cannot be considered as a public view. Moreover, the averments do not disclose that the complainant was abducted on account of that he belongs to Scheduled Caste. Therefore, there is no bar under the Act to grant the relief. Making such submissions, the learned counsel for the appellant prays to allow the appeal.



6. *Per contra*, learned Addl. State Public Prosecutor for respondent-State vehemently submitted that the averments of the complaint would indicate that the complainant was abducted on account of that he belongs to scheduled caste and he has been humiliated by the appellant and others and also he has been insulted by naming his caste. Therefore, there is a statutory bar under Section 18 of the Act. Hence, the application for anticipatory bail is not maintainable. Making such submissions, learned Addl. State Public Prosecutor prays to dismiss the appeal.

7. Having heard learned counsel for the respective parties and on perusal of the averments of the complaint, it would indicate that the complainant had borrowed an amount of Rs.50,000/- as advance to work as a driver. However, he allegedly diverted his route and went to Bengaluru without repaying the amount. The averments of the complaint do not disclose that the appellant insulted the complainant by naming his caste. Therefore, the appeal seeking for anticipatory bail is maintainable.



Moreover, the appellant has made out a *prima facie* case to grant him bail. Hence, I proceed to pass the following:

ORDER

(i) The appeal is ***allowed.***

(ii) The appellant is ordered to be enlarged on bail in the event of his arrest in Crime No.33/2026 of respondent-police, pending on the file of learned II Addl. District and Session's Court, Bengaluru Rural District, Bengaluru for the aforesaid offences 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 appellant shall appear before the jurisdictional police within a period of one week from today to execute personal bond and to furnish surety.

(iv) The appellant shall not threaten or tamper the prosecution witnesses.



(v) The appellant shall appear before the trial Court on all hearing dates, without fail.

(vi) The appellant shall not indulge either in any similar or any other offences, till disposal of the case.

In case, the appellant 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

JS/BSS
List No.: 1 Sl No.: 54