



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 5354 OF 2026

BETWEEN:

1. SRI. MANJUNATH NAIKA
S/O RUPLA NAIKA
AGED ABOUT 23 YEARS
R/A HUNASODU VILLAGE
SHIVAMOGGA TALUK
SHIVAMOGGA DISTRICT -577201.

...PETITIONER

(BY SRI. SUNIL KUMAR .B.N, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
R/BY POLICE INSPECTOR
RURAL POLICE STATION
SHIVAMOGGA
REP. BY S.P.P.
HIGH COURT BUILDING COMPLEX
AMBEDKAR VEEDHI, BENGALURU 560 001.

2. D. SURESH ACHAR
S/O DAMODAR
3 CROSS, TRIMURTHINAGAR
SHIMOGGA.

...RESPONDENT

(BY SMT. RASHMI JADHAV, ADDL. SPP FOR R1;
V/O DATED 30.06.2026, NOTICE TO R2 IS HELD
SUFFICIENT)



THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483 BNNS) PRAYING TO GRANT BAIL TO THE PETITIONER IN SPL.C.NO. 18/2026 [CR.NO 343/26], REGISTERED BY THE RESPONDENT SHIVAMOGGA RURAL P.S., HEREIN, AGAINST THE PETITIONER FOR THE OFFENCES PUNISHABLE UNDER SECTION 65(1), 137(2) OF BNS AND UNDER SECTION 4(2) OF POCSO ACT, ON THE FILE OF THE ADDITIONAL DISTRICT AND SESSION JUDGE, FTSC-1, AT SHIVAMOGGA.

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

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

Accused in Special Case No.18/2026 pending before the Court of Additional District and Sessions Judge, FTSC-1, Shivamogga arising out of Crime No.343/2025 registered by Shivamogga Rural Police Station for the offences punishable under Sections 65(1) and 137(2) of the Bharatiya Nyaya Sanhita (BNS), 2023 and Section 4(2) of the Protection of Children from Sexual Offences Act, 2012 (for short 'POCSO Act, 2012') is before this



Court in this petition filed under Section 483 of BNSS, 2023 seeking regular bail.

2. Heard learned counsel for the petitioner and learned Additional State Public Prosecutor on behalf of respondent No.1 - State. Respondent No.2 is served in the matter and has remained unrepresented before this Court.

3. FIR in Crime No.343/2025 was registered by the Shivamogga Rural Police Station initially for the offences punishable under Section 64(2)(m) of the BNS, 2023 and Section 6 of POCSO Act, 2012 against the petitioner herein based on the first information dated 14.11.2025 received from the victim girl, who was aged about 16 years as on the said date. In the said case, the petitioner was arrested on 15.11.2025 and remanded to judicial custody. After completing investigation, charge sheet has been filed against him for the aforesaid offences. His bail application filed before the trial Court in



Special Case No.18/2026 was rejected on 18.02.2026.
Therefore, he is before this Court.

4. Perusal of the material available on record would go to show that the petitioner and the victim girl were in love and as a result of consensual sexual intercourse between them, the victim girl became pregnant. On 14.11.2025, she had complained about stomach pain and therefore, her parents had taken her to Megan Hospital, Shivamogga. On the same day, she delivered a baby boy and based on her statement recorded in the Hospital, FIR was registered against the petitioner. During the course of investigation, the petitioner was arrested on 15.11.2025. The statement of the victim girl under Section 183 of BNSS, 2023 was recorded by the jurisdictional Magistrate on 26.11.2025. Even in the said statement, victim girl has stated that she and the petitioner were in love and after her mother came to know about their relationship, she had quarreled with her and thereafter, she had stopped talking to the petitioner.



Subsequently, when she went to the hospital, she came to know that she was pregnant. The material on record would go to show that the victim girl has not co-operated for her medical examination and also refused to give her blood sample for the purpose of conducting the DNA test.

5. The petitioner aged 23 years is in custody from 15.11.2025. Investigation of the case is completed and charge sheet is filed. The trial in the case is yet to commence. Considering the aforesaid aspects of the matter, I am of the opinion that the prayer made by the petitioner for grant of regular bail needs to be answered affirmatively. Hence, the following;

ORDER

(i) The Criminal Petition is ***allowed***.

(ii) The petitioner is directed to be enlarged on bail in Special Case No.18/2026 pending before the Court of Additional District and Sessions Judge, FTSC-1, Shivamogga arising out of Crime No.343/2025 registered



by Shivamogga Rural Police Station for the offences punishable under Sections 65(1) and 137(2) of the Bharatiya Nyaya Sanhita (BNS), 2023 and Section 4(2) of the POCSO Act, 2012, subject to the following conditions:

a) The petitioner shall execute a personal bond for a sum of Rs.1,00,000 (Rupees One Lakh only) with two sureties for the likesum, to the satisfaction of the jurisdictional Court;

b) The petitioner shall appear regularly on all the dates of hearing before the Trial Court unless the Trial Court exempts his appearance for valid reasons;

c) The petitioner shall not directly or indirectly threaten or tamper with the prosecution witnesses;

d) The petitioner shall not involve in similar offences in future;

Sd/-
(S VISHWAJITH SHETTY)
JUDGE