



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 7TH DAY OF MAY, 2026

BEFORE

THE HON'BLE MR. JUSTICE V SRISHANANDA

CRIMINAL PETITION NO.5580 OF 2026

BETWEEN:

SMT SUNITHA,
W/O RAVIKUMAR,
AGED ABOUT 38 YEARS,
HOUSEHOLD.
R/O SRI GURU THIPPERUDRASWAMY
MATTH, NEAR MAHESH HERO SHOW ROOM,
CHITRADURGA TOWN- 577 501

...PETITIONER

(BY SRI. NAVEEN H.M, ADVOCATE)

AND:

STATE OF KARNATAKA
BY CHITRADURGA RURAL POLICE,
CHITRADURGA,
REPRESENTED BY STATE PUBLIC
PROSECUTOR, HIGH COURT OF KARNATAKA,
BENGALURU - 560 001.

...RESPONDENT

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signed by
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Location:
HIGH

COURT OF

KARNATAKA (BY SRI. CHANNAPPA ERAPPA, HCGP)

THIS CRIMINAL PETITION IS FILED U/S 439 OF CR.PC
(FILED U/S 483 BNNS) PRAYING TO RELEASE HER ON BAIL IN
CRIME NO.302/2025 AND SC NO.32/2026 OF RESPONDENT
CHITRADURGA RURAL POLICE REGISTERED FOR OFFENCE



P/U/S 61(2), 103(1), 238, 3(5) OF BNS 2023, WHICH IS PENDING BEFORE HONBLE SPECIAL, 2ND ADDL. DISTRICT AND SESSIONS JUDGE AT CHITRADURGA AND ETC.

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

CORAM: HON'BLE MR. JUSTICE V SRISHANANDA

ORAL ORDER

1. Heard Sri. Naveen H.M, learned counsel for the petitioner and Sri. Channappa Erappa, learned High Court Government Pleader for the respondent-State.

2. Accused No.2 in SC No.32/2026 on the file of the II Additional Special District and Sessions Judge, Chitradurga is the petitioner seeking following reliefs:

"Wherefore the above named petitioners (Accused No. 2) prays that, this Hon'ble Court be pleased to release her on bail in crime No. 302/2025 and SC No. 32/2026 of Respondent Chitradurga Rural Police registered for offence punishable 61(2) 103(1), 238, 3(5) of BNS 2023, which is pending before Hon'ble Special 2nd Addl. District and Sessions Judge at Chitradurga on such terms and conditions in the above case in the ends of Justice."



3. Facts of the case are as under :

3.1 Sri. R. Vishnu - son of Ravikumar (deceased) who is later on arraigned as accused No.3 lodged a complaint with the Chitradurga Rural Police Station alleging the commission of the offence punishable under Sections 103(1) and 238 of Bharatiya Nyaya Sanhita.

3.2 Gist of the complaint averments would reveal that father of the complainant (accused No.3) by name Sri. Ravi Kumar possessed an auto rickshaw bearing No.KA-16-C-1946. Said Ravi Kumar was earning his livelihood by running the said auto rickshaw on hire basis.

3.3 Sister of the complainant (accused No.3), by name Jayashree is married to Manjunatha and they are living in Aimangala Village. Deceased, petitioner and second accused were living in a rented house in Jogimatti Road, 3rd Cross, Chitradurga Town.

3.4 There were few misunderstanding between brother-in-law of the complainant and his sister. His sister



had returned to the parental house and was living there. On 19.07.2025, complainant, second accused, wife of the complainant and sister of the complainant had visited Burujanakoppa Village and returned to Chitradurga on 20.07.2025. House was locked and father of the complainant was not found.

3.5 At about 11.00 a.m., he received a call from his relative namely Umesh of Janakonda Village stating that near Avuneri Gudda, Shivamurthy Layout, there is a dead body wrapped in bed sheet.

3.6 Immediately complainant rushed there and with the help of the villagers when the bed sheet was opened he has noticed dead body of his father who had sustained injuries on the head near left ear and there was also injury on the private part.

3.7 Later on, he secured the presence of his mother, his sister and his wife and all of them have seen



the dead body and later on reported the same to the police.

3.8 Police registered the case against the brother-in-law of the petitioner (accused No.3) for the aforesaid offences and investigated the matter. After thorough investigation, filed charge sheet.

3.9 Attempt made by the petitioner herein to obtain an order of grant of bail was turned down by the learned Session Judge while granting the bail to accused No.3 (Original complainant).

4. Thereafter, second accused is before this Court.

5. Sri. H.M. Naveen, learned counsel for the petitioner would submit that the petitioner is innocent and the entire case of the prosecution is based on circumstantial evidence and therefore, continuation of the petitioner in judicial custody is no longer warranted.



6. He would further contend that though FIR came to be registered against the son-in-law of the deceased at the first instance, after thorough investigation Ganesh, alias Touch Ganesh alias Viji alias Vinay Prasad alias Rajath alias Rajath Gowda has been arraigned as the first accused on the ground that he had an eye on the present petitioner and deceased was coming in their way of their affair being continued. Therefore present petitioner, Ganesha and his son Vishnu all of them hatched the plan to take away the life of deceased in the case of prosecution.

7. He would further contend that petitioner being the innocent lady has been unnecessarily impleaded as a party as accused No.2 in the case and thus sought for grant of bail.

8. Per contra, the learned High Court Government Pleader opposes the bail grounds.



9. Having perused the material on record, it is noted that necessary material has been collected by the Investigation Agency in this regard and later on charge sheet came to be filed.

10. On perusal of the material on record in the light of the grounds urged in the petition, only on the ground that petitioner is a lady and charge sheet is filed, would not be sufficient enough to grant the bail *ipso facto* inasmuch as material witnesses are yet to be examined.

11. In fact, motive for the incident is the illicit relationship of accused No.1 with accused No.2. As such, till the material witnesses are examined, petitioner is not entitled to be enlarged on bail inasmuch as there is a possibility of tampering of the prosecution witnesses.

12. Therefore, at this stage this Court does not find any good ground to grant bail to the petitioner by resorting to the special powers vested in this Court.



13. Further, after the material witnesses are examined and if there is a positive changed circumstances in favour of the petitioner, petitioner may move for grant of bail with a successive bail request.

14. With that observation, following Order:

ORDER

Criminal Petition is ***dismissed***.

**Sd/-
(V SRISHANANDA)
JUDGE**

SNC
List No.: 1 Sl No.: 51