



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.NAGAPRASANNA

CRIMINAL PETITION NO. 5566 OF 2026

BETWEEN:

MANOJ @ MANU @ POOMA
S/O SUBRAMANYA,
AGED ABOUT 20 YEARS,
R/AT NO.14, 2ND CROSS,
NEAR MAHADESHWARA TEMPLE,
HOSAGUDDADAHALLI, MYSORE ROAD,
BENGALURU - 560 026.

...PETITIONER

(BY SRI. JAYANTH VENKATRAM, ADVOCATE A/W
SRI. DEVARAJU R, ADVOCATE)

AND:

Digitally signed by
SANTHEEVINI J
KARISHETTY
Location: High
Court of Karnataka

THE STATE OF KARNATAKA
BY BYATARAYANAPURA POLICE STATION
NO.22/25, MYSORE ROAD,
VENKATESHPURA,
BANASHANKARI STAGE 1,
BYATARAYANAPURA, BENGALURU,
KARNATAKA - 560 026
REP. BY SPP, HIGH COURT BUILDING
BANGALORE - 560 001.

...RESPONDENT

(BY SMT. RASHMI PATEL, HCGP FOR R1)

THIS CRL.P IS FILED U/S 482 OF CR.PC (FILED U/S 528
BNNS) PRAYING TO A. QUASH AND SET ASIDE THE IMPUGNED



ORDER DATED 24.01.2026 PASSED BY THE XV ADDL.CITY CIVIL AND SESSIONS JUDGE BENGALURU CITY IN CRL.MISC NO.4178/2025 CANCELLING THE BAIL GRANTED TO THE PETITIONER (ANNEXURE-A).

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

CORAM: **HON'BLE MR. JUSTICE M.NAGAPRASANNA**

ORAL ORDER

The petitioner is before the Court calling in question an order of the concerned Court dated 24.01.2026, which cancels the bail granted in Crime No.169/2024 on the score that the petitioner, after his enlargement on bail, has indulged in identical offences, which have become a crime in Crime No.229/2024.

2. Heard Sri Jayanth Venkatram, learned counsel along with Sri Devaraju R., appearing for the petitioner and Smt. Rashmi Patel, HCGP appearing for respondent No.1.

3. The petitioner gets embroiled in a crime in Crime No.169/2024, which is registered on 12.05.2024 for the offences punishable under Sections 307, 504, 506 read with 34 of the IPC. The petitioner was taken into custody and was later



enlarged on bail on 19.06.2024 in Crl.Mis.No.5205/2024. After the enlargement on bail, the prosecution files an application seeking cancellation of bail granted in Crime No.169/2024 on the score that the petitioner has got himself embroiled in another crime in Crime No.229/2024 for the offences punishable under Sections 109, 115(2), 118(1) of the BNS, *inter alia*. The application of the prosecution merits acceptance at the hands of the concerned Court and the bail so granted in Crime No.169/2024 stood cancelled. It is this order of cancellation of bail, which has driven the petitioner to this Court in the subject petition.

4. The learned counsel appearing for the petitioner submits that the strength on which the cancellation of bail in Crime No.169/2024 has happened, is no longer in subsistence, as the very Court of Session has granted the bail in Crime No.229/2024 i.e., the subsequent crime. Therefore, the order of cancellation of bail must be set aside.

5. *Per contra*, the learned HCGP would accept the fact that the concerned Court has granted bail in



Crime No. 229/2024 and would leave the decision to the hands of this Court.

6. I have given my anxious consideration to the submissions made by the respective learned counsel and have perused the available material on record.

7. The afore-narrated facts lie in a narrow compass, whether the order of cancellation of bail would stand sustenance today. It is an admitted fact that the petitioner gets embroiled in Crime No.169/2024, for offence punishable under Section 307 of the IPC, *inter alia*. The petitioner was enlarged on bail on 19.06.2024, it having been granted by the concerned Court. After his enlargement on bail, the prosecution files an application on the score that the conditions of bail are violated, as the petitioner has got himself embroiled in a subsequent crime in Crime No. 229/2024. On 08.08.2024, by the order of the concerned Court, the petitioner in Crime No. 229/2024 is again released on grant of a regular bail. Two years later on the application filed by the prosecution, the concerned Court, on 24.01.2026 in CrI.Misc.No.4178/2025, cancels the regular bail granted to the petitioner in the previous crime i.e., Crime



No.169/2024. The order of the concerned Court reads as follows:

"REASONS

7. **Point No.1**: The present application is filed under Section 439(2) of Cr.P.C. seeking cancellation of the regular bail granted in favour of respondents No.1 and 2 in Crl.Misc.No.5205/2024 dated 19.06.2024.

8. It is a settled principle of law that though bail once granted should not be cancelled in a routine manner, the Court is vested with ample power under Section 439(2) of Cr.P.C. to cancel bail where the accused has misused the liberty granted to him, violated bail conditions, interfered with the course of justice, or committed further offences while on bail.

9. ***The Hon'ble Supreme Court in Dolat Ram and Others v. State of Haryana, (1995) 1 SCC 349***, has categorically held that bail can be cancelled if the accused misuses his liberty or acts in a manner prejudicial to a fair trial.

10. In ***Puran v. Rambilas and Another, (2001) 6 SCC 338***, the Hon'ble Supreme Court has clarified that cancellation of bail is justified not only where the accused tampers with evidence or threatens witnesses, but also where the order granting bail is rendered untenable due to subsequent events showing misuse of liberty.

11. **In the present case, the material placed on record discloses that after being enlarged on bail in Crl. Misc. No.5205/2024, respondents No.1 and 2 have involved themselves in subsequent criminal cases namely further offences while on bail squarely amounts to abuse of the concession of bail.**

12. ***The Hon'ble Supreme Court in State of Maharashtra v. Captain Buddhikota Subha Rao, (1989) 3 SCC 223***, has held that involvement of the



accused in similar criminal activities A 1 after grant of bail is a valid and weighty ground for cancellation of bail.

13. The contention of the respondents that investigation has been completed and charge-sheets have been filed does not mitigate their conduct. ***The Hon'ble Supreme Court in Ravikant S. Patil v. Sarvabhuma S. Bagali, (2007) 1 SCC 673***, has observed that the crucial consideration for cancellation of bail is the conduct of the accused after release and not merely the procedural stage of the case.

14. The plea of respondent No.1 that he is the sole earning member of the family cannot outweigh the larger my interest of justice. ***In Neeru Yadav v. State of U.P., (2016) 15 SCC 422, the Hon'ble Supreme Court*** has cautioned that personal circumstances of the accused cannot eclipse societal interest where the conduct of the accused shows disregard for the law.

15. The Karnataka High Court has also consistently held that involvement in subsequent offences while on bail constitutes a clear violation of bail conditions and warrants cancellation (see ***Basavaraj v. State of Karnataka, ILR 2017 KAR 3210***).

16. In the light of the above authoritative pronouncements and the factual matrix of the present case, this Court is satisfied that respondents No.1 and 2 have grossly misused the liberty granted to them and have violated the implicit and explicit conditions of bail. Continuation of bail in such circumstances would undermine the administration of criminal justice. ***Accordingly, Point No.1 is answered in the Affirmative.***

11. **Point No.2:-** In view of the above discussions and my findings to the point No. 1, I proceed to pass the following:-

ORDER



**Petition filed by the petitioner
U/Sec.439(2) of Cr.P.C is hereby
allowed.**

**Regular bail granted to the
respondents No.1 and 2 by this court
passed in Crl.Misc.No.5205/2024
dated.19.06.2024 is hereby
cancelled.**

(Dictated to the Steno Gr-III, directly on computer,
typed by her, corrected, signed and then pronounced
by me in the open court on this the 24th day of
January, 2026.)

**Sd/-
24/1/26
(SOMASHEKARA A.)
XV ADDL. CITY CIVIL & SESSIONS
JUDGE, BENGALURU CITY.
C/c LIX ADDL. CITY CIVIL & SESSIONS
JUDGE, BENGALURU CITY"**

(Emphasis added)

The bail granted earlier, is cancelled solely on the score that
the petitioner involves himself in a subsequent crime.

8. In identical circumstances, the High Court of Kerala in
the case of **RENJITH v. STATE OF KERALA**¹, holds that the
mere registration of a subsequent crime against the accused

¹ 2023 SCC OnLine Ker 1252



itself, cannot result in the automatic cancellation of the bail once granted. The High Court observes as follows:

"....."

7. Section 437 of Cr. P.C. provides for grant of bail to a person accused of a non-bailable offence when produced before a court other than the High Court or Court of Sessions. The said statutory provision also confers power upon the court to impose conditions. In the exercise of such a power, the learned Magistrate while granting bail imposed a condition that '*petitioner shall not involve in any other crime while on bail*'. It is pertinent to note that final report has been filed in the said case and the case is now pending as C.C. No. 1104 of 2022 on the files of the Judicial First Class Magistrate's Court, Chavakkad. Though petitioner was arrested on 07.11.2022 for the second crime, he was granted regular bail for the said crime on 14.12.2022.

8. The bail granted to the petitioner in the first crime was cancelled by the learned Magistrate by the impugned order after coming to the conclusion that the accused had misused his liberty by indulging in another criminal activity and had therefore violated the bail conditions.

9. Bail once granted ought not to be cancelled for the mere asking. There must be cogent and overwhelming circumstances existing to cancel the bail which should not be resorted to in a mechanical manner also. In a recent decision in *P v. Madhya Pradesh* (2022 SCC OnLine SC 552) the Supreme Court considered the circumstances when bail could be cancelled. One of the conditions for cancelling the bail has been succinctly stated to be that if he misuses his liberty by indulging in similar or other criminal activity.

10. Despite the above, is the bail granted to the petitioner liable to be cancelled because later, an FIR is registered against him? In the decision in *Imran v. Muhammed Bhava* [2022 SCC OnLine SC 496] it has been held that certain supervening



HC-KAR

NC: 2026:KHC:30485
CRL.P No. 5566 of 2026

circumstances impeding a fair trial must develop after granting bail to an accused for its cancellation. After referring to the above decisions, the Supreme Court in the decision in *P. v. State of Madhya Pradesh* (supra) observed that cancellation of bail already granted would indeed require significant scrutiny.

11. The mere registration of a subsequent crime against the accused by itself cannot result in an automatic cancellation of bail. Registration of a subsequent crime is only an indication of an allegation or a complaint of the accused having been involved in a subsequent crime. The presumption of innocence available to the accused in the second crime, the right to liberty as a fundamental right under Article 21 of the Constitution of India which envelopes every provision of the Code of Criminal Procedure are factors which cannot be forgotten by the Court when called upon to cancel the bail. The possibility of false accusations being alleged with oblique motives also cannot be ignored. The nature of the subsequent offence and the persons against whom the offence is alleged to have been committed, the stage of the case wherein cancellation is sought are also factors that require appreciation. Apart from the above, while arriving at the conclusion to cancel the bail, the Court must also consider whether the accused had misused the liberty granted in such a manner that it has a tendency to interfere with the due course of the administration of justice. Thus, every case presents a unique situation and close scrutiny ought to be indulged in to identify whether overwhelming circumstances are indeed present in the subsequent crime which necessitates the cancellation of bail earlier granted.

12. As held in *Dolat Ram v. State of Haryana* [(1995) 1 SCC 349] very cogent and overwhelming circumstances are necessary to cancel the bail already granted and that bail once granted should not be cancelled in a mechanical manner without considering whether the supervening circumstances



HC-KAR

NC: 2026:KHC:30485
CRL.P No. 5566 of 2026

have rendered it no longer conducive to a fair trial to allow the accused to retain his freedom by enjoying the concession of bail during the trial.

13. In this context, it is appropriate to refer to two recent decisions of this Court. In *Godson v. State of Kerala* [2022 (2) KLD 447] a learned Single Judge of this Court had observed that **a mere violation of the bail conditions is not sufficient to cancel the bail but the satisfaction of the court that it is necessary to do so based on various factors have to be arrived at.** However, another learned Single Judge in *Sreeja Mannangath v. State of Kerala* [2022 (7) KLD 109], relying upon the decision in *P. v. State of Madhya Pradesh* (supra), cancelled the bail after observing that the accused had misused his liberty by violating one of the conditions of bail. In *Sreeja's case* (supra), the accused is alleged to have involved in a subsequent crime against the defacto complainant in the earlier crime itself, in violation of the specific condition not to do so. The conclusion arrived at in *Sreeja's case* (supra) is based on the facts therein and cannot apply to the present situation. Further, the decision in *P. v. State of Madhya Pradesh* (supra) does not imply that on violation of any of the conditions of bail, there should be an automatic cancellation. The said decision has not diluted the principles laid down in *Dolat Ram's case* (supra) and on the other hand, specifically observes that there must be a significant scrutiny before bail is cancelled.

14. With the above principles in mind, when the circumstances of the present case are appreciated, it can be noticed that the learned Magistrate had, in exercise of the discretion to grant bail, released the petitioner on bail even in the second crime. Still, the petitioner has remained in jail for the last more than two months. Though the allegation as regards the second crime is serious, taking into reckoning the contention that the petitioner has been falsely implicated and the absence of any injury on any person and the general allegation that the accused attempted to commit culpable homicide by brandishing a sword in a public road, this Court is of the view that the second crime cannot be treated as



overwhelming enough to impede fair trial in the first crime for cancelling the bail already granted. Further, the final report in the crime in which bail was sought to be cancelled was filed much earlier and there is no allegation that the petitioner had misused his liberty against the defacto complainant therein.

15. Thus, despite the registration of the subsequent crime against the petitioner, having regard to the nature of allegations, this Court is of the view that the order cancelling the bail granted to the petitioner ought to be interfered with. Accordingly, the order dated 19.01.2023 in Crl.M.P. No. 3394 of 2022 in C.C. No. 1104 of 2022 on the files of the Judicial First Class Magistrate's Court, Chavakkad is set aside. The petitioner shall be released from custody forthwith, if not required in any other case.

16. This Crl.M.C. is allowed as above."

(Emphasis supplied)

9. If the petitioner has been granted bail in the subsequent crime, the cancellation of bail on the ground that the subsequent crime is registered will not hold water. In that light, for the reason that the petitioner has already been granted bail in Crime No.229/2024, the order of cancellation of bail, in Crime No.169/2024 stands obliterated. The bail that is granted to the petitioner, in Crime No.169/2024 stands restored.



10. The learned counsel appearing for the petitioner submits that the petitioner, pursuant to the cancellation of bail, has been taken into judicial custody, notwithstanding the bail being granted in Crime No.229/2024. Therefore, the petitioner is to be released from prison, forthwith.

11. For the aforesaid reasons, the following:

ORDER

- i. The petition stands **allowed**.
- ii. The order dated 24.01.2026 passed by the XV Addl. City Civil & Sessions Judge, Bengaluru City in CrI.Misc.No.4178/2025 stands quashed.
- iii. The bail granted to the petitioner by order dated 19.06.2024 in CrI.Misc.No.5205/2026 by the LIX Addl. City Civil & Sessions Judge, Bengaluru City stands restored.
- iv. The petitioner is directed to be released from judicial custody forthwith.



- v. The Registry is directed to communicate this order to the prison authorities to enable the release of the petitioner on restoration of bail.
- vi. All other conditions imposed on the petitioner in the bail order dated 19.07.2024, passed by the concerned Court in Crl.Misc.No.5205/2024, stand intact.

In the light of main order, the application for direction does not survive for consideration.

Sd/-
(M.NAGAPRASANNA)
JUDGE

HDK
List No.: 3 Sl No.: 2