



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 7TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 6026 OF 2026

BETWEEN:

1. ANMOL RATHAN KANDAR
S/O JOGENDAR KANDAR
AGED ABOUT 27 YEARS
R/A NO A-17, NARAYANA BUILDING
4TH CROSS, HUNSANDRA PALYA
MAINROAD NEAR RAMA TEMPLE
ISLAMPURA, HAL, 2ND STAGE
BENGALURU- 560017
PERMANENT ADDRESS
NO 170, CHURCHGAURD
PAIK MALL, POST AND POLICE STATION
BURGUR DISTRICT
ORISSA- 768039

...PETITIONER

(BY SRI: KARTHIK M.,ADVOCATE)

AND:

1. THE STATE BY YESHWANTHPURA P S
(REP BY HCGP H.C.K. BANALORE-09)

...RESPONDENT

(BY SMT: RASHMI JADHAV, ADDL. SPP)

THIS CRL.P IS FILED UNDER SECTION 439 CR.PC (FILED UNDER SECTION 483 BNNS) BY THE PETITIONER PRAYING TO ENLARGE THE PETITIONERS ON BAIL IN THE CRIME

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by
SHARADAVANI
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Location: High
Court of
Karnataka





NO.204/2022 FOR THE OFFENCES PUNISHABLE UNDER SECTION 302 OF IPC IN YESHWANTHPURA POLICE STATION.

THIS CRL.P, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

Accused in S.C.No.1874/2022 pending before the court of 45th Additional City Civil and Sessions Judge, Bengaluru, arising out of Crime No.204/2022 registered by Yeshwanthpura Police Station, Bengaluru, for offence punishable under Section 302 of IPC is before this Court in this petition filed under Section 483 of BNSS 2023 for regular bail.

2. Heard the learned counsel appearing for the parties and perused the material placed on record.

3. FIR in Crime No.204/2022 was registered by Yeshwanthpura Police Station, Bengaluru for the aforesaid offence against the petitioner herein based on the first information dated 10.06.2022 received from Abdul Rashid, Manager of the lodge in which dead body of deceased Deepa Padan was found. In the said case petitioner was arrested on



13.06.2022 and subsequently remanded to judicial custody. After completing investigation, charge sheet has been filed against him for aforesaid offence. His bail application filed before the Trial Court in Crl.Misc.No.9100/2022 was rejected on 20.10.2022. Therefore, he is before this Court in this petition.

4. Learned counsel for the petitioner submits that the entire case of the prosecution is based on circumstantial evidence. As on this date, only one charge sheet witness has been examined as PW1. Petitioner has no other criminal antecedent and is ready and willing to co-operate before the trial Court for speedy disposal of the case.

5. Per contra, learned Additional State Public Prosecutor appearing for the respondent-State has opposed the bail petition and submits that petitioner had confessed to CW3, who is his wife, about the murder committed by him. He had strong motive to commit the murder. Accordingly, she prays to dismiss the petition.

6. A reading of the charge sheet averments goes to show that petitioner is the husband of CW3-Smt Deenamthi



Munji. Deceased-Deepa Padan is said to be the friend of CW3 and she had come along with the petitioner and CW3 from Orissa to Bangalore, seeking employment and was staying in the house of the petitioner and CW3. It appears that, in the month of November 2021, CW3 who was pregnant had gone to her native place for the purpose of her delivery. It is alleged that petitioner had developed intimacy with the deceased while, CW3 was not in the house and the petitioner allegedly had promised to marry her. After CW3 came to know about the same she had returned to Bengaluru and had sent the deceased-Deepa Padan out of her house. Thereafter the petitioner and Deepa Padana were residing separately in a rented house.

7. Allegation in the charge sheet is that Deepa Padana had developed intimacy with another boy and therefore the petitioner decided to eliminate her and on 09.06.2022, he had taken her to railway station at Yeshwanthpura and had purchased train tickets and thereafter they had checked into a lodge near the Railway Station and in room No. 205 of the said lodge, he allegedly smothered Deepa Padan and committed her



murder. The entire case of the prosecution is based on circumstantial evidence. Petitioner who has no other criminal antecedent and he is in custody for the last more than 4 years. The prosecution has altogether cited 32 charge sheet witnesses in the present case and as on this day, only one charge sheet witness has been examined as PW1. Therefore the chances of the trial being completed and case being disposed of on merits in near future is very remote.

8. The Hon'ble Supreme Court in the case of the ***Javed Gulam Nabi Shaikh -Vs- State of Maharashtra and another***, reported in **(2024) 9 SCC 813** in paragraph No.17 has observed as follows:

"17. If the State or any prosecuting agency including the court concerned has no wherewithal to provide or protect the fundamental right of an accused to have a speedy trial as enshrined under Article 21 of the Constitution then the State or any other prosecuting agency should not oppose the plea for bail on the ground that the crime committed is serious. Article 21 of the Constitution applies irrespective of the nature of the crime."

9. Under the circumstances, I am of the opinion that prayer made by the petitioner for grant of regular bail needs to be answered affirmatively.



10. Accordingly, the following:-

ORDER

The petition is allowed. The petitioner is directed to be enlarged on bail in S.C.No.1874/2022 pending before the court of 45th Additional City Civil and Sessions Judge, Bengaluru, arising out of Crime No.204/2022 registered by Yeshwanthapura Police Station, Bengaluru for the offences punishable under Section 302 of IPC, subject to the following conditions:

- a) Petitioner shall execute a personal bond for a sum of Rs.1,00,000/- 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;



e) The petitioner shall not leave the jurisdiction of the Trial Court without permission of the said Court until the case registered against him is disposed off.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

HR
List No.: 1 SI No.: 61