



IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 3RD DAY OF JUNE, 2026
BEFORE
THE HON'BLE MR. JUSTICE S RACHAIAH
CRIMINAL APPEAL NO. 704 OF 2026 (U/S 14(A) (2))

BETWEEN:

1. CHIDAMBHARA B K
S/O KRISHNA K,
AGED ABOUT 24 YEARS,
R/AT GOVERNMENT SCHOOL NEAR,
18/5A GOVERNMENT SCHOOL,
DODDAGOLLARAHATTI,
BHUVANESHWARI NAGAR,
BENGALURU - 560 056.
2. ARAVIND M
S/O MOHAN KUMAR,
AGED ABOUT 21 YEARS,
R/AT NO.158, 6TH CROSS,
NEAR GANESHA TEMPLE,
SHARADHANAGAR, GKVK,
BENGALURU - 560 065.
3. KISHOR R
S/O RAJU J D,
AGED ABOUT 21 YEARS,
R/AT NO.21, 4TH I CROSS,
MARUTHI NAGARA,
KAMAKSHIPALYA,
BENGALURU - 560 059.

...APPELLANTS

(BY SRI. GIRISH R., ADVOCATE)

Digitally
signed by
SUSHMA
LAKSHMI
B S
Location:
High
Court of
Karnataka



AND:

1. STATE OF KARNATAKA
BY KENGERI PS,
NOW REPRESENTED BY
STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDING,
BENGALURU – 560 001.
2. SHALINI
S/O LATE KRISHNA M.N,
AGE 31 YEARS,
R/AT NO.69, APPU CIRCLE,
SHIVANAPALYA, K.S TOWN,
BENGALURU – 560 060.
(MOTHER OF VICTIM GIRL)

...RESPONDENTS

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

CRL.A. FILED U/S 14(A)(2) OF SC/ST (POA) ACT, 2015
BY THE ADVOCATE FOR THE APPELLANT/S PRAYING TO SET
ASIDE THE ORDER DATED 27-01-2026 PASSED BY THE
HON'BLE ADDL. CITY CIVIL AND SESSIONS JUDGE, FTSC-V,
BENGALURU, IN CRL.MIS.NO.11028/25 AND GRANT THE
REGULAR BAIL IN SPL.C.NO.2283/2025 (CR.NO.397/2025) FOR
THE OFFENCE PUNISHABLE UNDER SECTION.65(1), 87,
127(3), 3(5) OF BNS, SECTION 3(2)(v) OF THE SC/ST(POA)
ACT AND SECTIONS 4(2) AND SECTION.17 OF THE POCSO
ACT, WHICH IS PENDING ON THE FILE OF HON'BLE ADDL. CITY
CIVIL AND SESSIONS JUDGE, FTSC-V, BENGALURU.



THIS APPEAL, COMING ON FOR ADMISSION, THIS DAY,
JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE S RACHAIAH

ORAL JUDGMENT

This appeal has been filed by the appellants, who are arrayed as accused Nos.2 to 4 seeking regular bail in Cr.No.397/2025 of respondent-Police for the offence under Sections 65(1), 87, 127(3) r/w 3(5) of Bharatiya Nyaya Sanhita, 2023 and Section 3(2)(v) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities Act), 1989 and Sections 4(2) r/w 17 of the Prevention of Children from Sexual Offences Act, 2012.

2. The case of the prosecution is that a complaint came to be registered by the mother of the victim, stating that her daughter was studying in 9th standard. On 20.08.2025, her daughter/victim did not come back to her house. Hence, the complainant went to the school and enquired about her daughter and learnt that her daughter/victim went in an autorikshaw along with her friends. Immediately, the complainant went to the respondent-Police and lodged a



complaint and requested the respondent-Police to trace her daughter. On 23.08.2025, her daughter was traced and she was subjected to medical examination on 24.08.2025 and her statement was recorded. As per the statement of the victim, she had been acquainted with the appellant-Chidambaram. The said Chidambaram introduced her to Prashanth, Kishore and Aravind. Prashanth developed intimacy with the victim on the pretext that he was in love with her and both were meeting each other often. Prashanth told her that he was loving her and that he wanted to marry her. Even though she refused to marry him, he requested her and took her to House No.20/1 situated at Vigneshwara Nagara near Sunkadakatte and committed sexual assault on the pretext of marriage. The complainant after receiving the said information, lodged a complaint. The respondent-Police registered FIR. After conducting the investigation, submitted the charge sheet.

3. Heard Sri.Girish R., learned counsel for the appellants and Ms. Asma Kouser, learned Additional State Public Prosecutor for respondent No.1-State.



4. The submission of the learned counsel for the appellants is that the appellants are innocent of the alleged offences. The allegations against the appellants are that they have assisted Prashanth and the victim to go to Sunkadakatte by auto and also arranged new clothes to the victim. In fact, the said allegations are baseless and false. The appellants are aged about 21 years and are students. They are earning members of their respective families, working as auto drivers to earn their livelihood. They have been falsely implicated in this case. Therefore, they may be enlarged on bail by imposing suitable conditions. In the event of their release on bail, the said conditions would be abided by the appellants. Making such submissions, learned counsel for the appellant prays to allow the appeal.

5. *Per contra*, learned Additional State Public Prosecutor for respondent-State vehemently submitted that the appellants being the friends of accused No.1, supported the accused No.1 to take the victim, knowing that she was a minor and was studying in 9th standard and she belonged to Scheduled Caste, Bhovi Community and committed a heinous



offence, which is against the society. Therefore, it is not appropriate to grant them bail. Making such submissions, learned Additional State Public Prosecutor prays to reject the appeal.

6. Heard the learned counsel for the respective parties and perused the averments of the charge sheet, which indicates that the appellants and accused No.1 are friends. It is alleged that Prashanth, who is accused No.1, was loving the victim and intended to marry her. Therefore, he kidnapped her from her school with the help of these appellants and took her to House No.20/1 situated at Vigneshwara Nagara near Sunkadakatte and committed sexual assault on the victim.

7. Be that as it may. After having considered the overt act of these appellants, it is appropriate to grant him bail by imposing suitable conditions that would take care of the apprehension of the prosecution. Hence, I proceed to pass the following:

ORDER

- i) The Criminal Appeal is ***allowed***.



ii) The impugned order passed by the Additional City Civil and Sessions Judge, FTSC-V, Bengaluru in Crl.Misc.No.11028/2025 dated 27.01.2026 is set aside.

iii) The appellants are directed to be enlarged on bail in Crime No.397/2025 of Kengeri Police Station, registered for the offences punishable Sections 65(1), 87, 127(3) r/w 3(5) of BNS and Section 3(2)(v) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities Act), 1989 and Sections 4(2) r/w 17 of the Prevention of Children from Sexual Offences Act, 2012, subject to the following conditions:

- a) The appellants shall execute personal bond for a sum of Rs.1,00,000/- (Rupees One lakh only) each with one surety each for the likesum, to the satisfaction of the jurisdictional Court.
- b) The appellants shall not threaten the prosecution witnesses.
- c) The appellants shall not hamper the Court proceedings.
- d) The appellants shall not leave the jurisdiction of the Court till disposal of the case.



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- e) The appellants shall not involve in any other criminal cases or such similar cases in future till disposal of the present case.

**Sd/-
(S RACHAIAH)
JUDGE**

NR/-
List No.: 1 SI No.: 28