



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 6217 OF 2026 (439(CR.PC)/
483(BNSS))

BETWEEN:

HEMANTHA KUMAR S J @ HEMANTHA
S/O LATE JAYARAMA
AGED ABOUT 20 YEARS
R/AT SASALUPURA ROAD
BESIDE HEMAVATHI SUGAR FACTORY
KASABA HOBLI, CHANNARAYAPATNA TALUK
HASSAN DISTRICT-01.

...PETITIONER

(BY SRI. PRATHEEP.K.C., ADVOCATE)

AND:

THE STATE OF KARNATAKA
REP. BY CHANNARAYAPATNA
TOWN POLICE STATION
HASSAN DISTRICT
REP. BY ITS
STATE PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA
BANGALORE-01.

...RESPONDENT

(BY SMT. RASHMI JADHAV, ADDL. SPP.)

THIS CRL.P IS FILED U/S 439 OF CR.P.C (FILED U/S 483
BNSS) PRAYING TO GRANT BAIL IN SC NO. 26/2026 (CR.NO.
186/2025) PENDING ON THE FILE OF IV ADDITIONAL
DISTRICT AND SESSIONS JUDGE HASSAN SITTING AT
CHANNARAYAPATNA FOR THE OFFENCES PUNISHABLE U/S

Digitally signed
by HEMALATHA
J
Location: HIGH
COURT OF
KARNATAKA



103(1), 309(6), 311, 238(A) R/W 3(5) OF BNS, 2023, BY CHANNARAYAPATNA TOWN POLICE STATION.

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 No.1 in S.C.No.26/2026 pending before the Court of IV Additional District and Sessions Judge, Hassan sitting at Channarayapatna arising out of Crime No.186/2025 registered with Channarayapatna Town Police Station, Hassan for offences punishable under Sections 103(1), 309(6), 311, 238(a) r/w.3(5) of BNS 2023 is before this Court in this petition filed under Section 483 of BNS 2023, seeking regular bail.

2. Heard learned counsel for the parties.

3. FIR in Crime No.186/2025 was registered by Channarayapatna Town Police Station, Hassan initially, for offences punishable under Section 103(1) and 238(a) of BNS 2023, based on the first information dated 14.10.2025, submitted by Rathnakumar KG, Police Officer



attached to Channarayapatna Town Police Station, Hassan. In the said case, petitioner and his mother were arrested and remanded to judicial custody. After completing investigation, charge sheet has been filed against them for the aforesaid offences. Bail application filed by the petitioner before the trial Court in SC No.26/2026 was rejected on 09.03.2026. Therefore, petitioner is before this Court.

4. A perusal of the material on record would go to show that deceased Rajamma, was found missing from 10.10.2025 onwards. Therefore, a missing complaint was lodged by her son and the jurisdictional police had registered FIR in Crime No.186/2025. During the course of investigation of the said case, dead body of an unknown lady, was traced near Hemavathi canal within the limits of Channarayapapatna Town and the said body was identified to be of deceased Rajamma. Subsequently, a UDR case was registered and based on the post mortem report of the deceased, on the report of the police officer, FIR was



registered in Crime No.186/2025 for the aforesaid offences against unknown persons. In the said case, petitioner was arrested on 14.10.2025 and his mother was arrested on 15.10.2025. After investigation charge sheet has been filed.

5. The entire case of the prosecution is based on circumstantial evidence. In the charge sheet, it is alleged that, on 10.10.2025, deceased Rajamma had gone near the house of accused persons demanding money which they allegedly were due to pay. She had reached their house at about 01.30 p.m. Since they had not paid the money, she allegedly stayed near their house and at about 01.30 a.m. on the intervening night of 10.10.2025 and 11.10.2025, accused Nos. 1 and 2, with an intention to avoid payment of money due and also to rob the gold jewellery which she was wearing, allegedly assaulted Rajamma on her head with a piece of aracanut tree and committed her murder. Subsequently, dead body of Rajamma was disposed of by accused Nos. 1 and 2 near a



canal after removing her belongings. After the dead body was found on 12.10.2025, UDR case was registered and subsequently based on the post mortem report, FIR was registered in the present case against the accused.

6. According to the prosecution, the accused persons who had removed the gold jewellery of deceased had allegedly pledged the same in Attika Gold Company at Hassan for a sum of Rs.2,80,000/-. However, the receipts for pledging the gold or the CCTV camera footage of the jewellery shop have not been collected in the present case and on the other hand it is the case of the prosecution that, sister of the petitioner had allegedly brought a sum of Rs.2,50,000/- from her house and surrendered the same before the police.

7. Petitioner aged 20 years, has no criminal antecedents. Investigation of the case is now completed and charge has been filed. Continued detention of the petitioner in custody amongst hardcore criminals is likely to have an adverse effect on his mind-set. Under the



circumstances, I am of the opinion that prayer for grant of regular bail is to be answered affirmatively. Accordingly, the following:

ORDER

The petition is allowed. The petitioner is directed to be enlarged on bail in Crime No.186/2025 of Channarayapatna Town Police Station registered for the offences punishable under Sections 103(1), 309(6), 311, 238(a) r/w.3(5) of BNS 2023, subject to the following conditions:

- a) Petitioner shall execute 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**

CM
LIST NO.: 1 SL NO.: 41