



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF MAY, 2026

BEFORE

THE HON'BLE MR. JUSTICE K. V. ARAVIND

CRIMINAL PETITION No. 6853 OF 2026 (438(Cr.PC) /
482(BNSS))

BETWEEN:

1. B S MARIRANGAIAH,
S/O LATE SANNARANGAIAH,
A/A 77 YEARS,
R/A No.277/2, 2ND WARD,
VINAYAKA EXTN.,
K.R. NAGAR TOWN,
K.R. NAGAR POST,
MYSORE, KARNATAKA-5871 602.

...PETITIONER

(BY SRI SURESH S., ADVOCATE)

AND:

1. STATE BY KARNATAKA,
BY DEVANAHALLI P.S.,
REPRESENTED BY SPP,
HIGH COURT BUILDING,
HIGH COURT OF KARNATAKA,
BENGALURU-560001.

...RESPONDENT

(BY SMT. RASHMI PATEL, HCGP)

THIS CRL.P. FILED UNDER SECTION 438 CR.PC (FILED U/S 482 BNSS) BY THE ADVOCATE FOR THE PETITIONER PRAYING TO ENLARGE THIS ACCUSED/PETITIONER ON ANTICIPATORY BAIL IN CRIME No.54/2026 FOR THE PUNISHABLE UNDER SECTION 64(2) (k) OF BNS 2023 OF



DEVANAHALLI POLICE, AND JMFC, PENDING BEFORE THE CIVIL JUDGE DEVANAHALLI, BANGALORE DISTRICT.

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

CORAM: HON'BLE MR. JUSTICE K. V. ARAVIND

ORAL ORDER

Heard Sri Suresh S., learned counsel for the petitioner and Smt. Rashmi Patel, learned High Court Government Pleader for the respondent-State.

2. This criminal petition is filed under Section 482 of the Bharatiya Nagarika Suraksha Sanhita, 2023 (for short, 'BNSS') by the accused in Crime No.54/2026 dated 09.03.2026 pending on the file of Civil Judge & JMFC, Devanahalli, Bangalore District, registered by Devanahalli Police Station, Bengaluru City, for the offences punishable under Section 64(2)(k) of the Bharatiya Nyaya Sanhita, 2023 (for short, 'BNS').

3. The facts, in brief, are that a complaint came to be filed against three persons alleging sexual abuse before the Chandrashekarapura Police Station, Tumakuru District, in Crime No.141/2025. Insofar as the accused, FIR came to be



registered in Crime No.54/2026 before Devanahalli Police Station. It is alleged that the accused is the uncle of the victim/complainant.

4. Sri Suresh S., learned counsel appearing for the petitioner submits that the complaint is vague and the date nor the period during which the alleged incident took place has been specified. It is further submitted that there is no *prima facie* evidence to support the allegations. Learned counsel also submits that the petitioner is aged about 77 years and is a permanent resident of Mysuru, whereas the alleged incident is stated to have taken place at Devanahalli, where the petitioner was not residing. It is contended that for extraneous reasons, the petitioner is implicated in the proceedings. It is also submitted that in respect of the other two accused persons against whom similar allegations are made, the trial Court has granted bail.

5. *Per contra*, Smt. Rashmi Patel, learned High Court Government Pleader appearing for the respondent-State submits that the investigation is in its nascent stage and if anticipatory bail is granted, the petitioner may not cooperate



with the investigation and may influence the witnesses or tamper with the prosecution evidence.

6. Considering the submissions made by the learned counsel for the petitioner and the learned HCGP, it is noticed that the crime was initially registered in Crime No.141/2025 by Chandrashekarapura Police Station, Tumakuru District, on 21.12.2025. Subsequently, insofar as the present petitioner is concerned, FIR came to be registered on 09.03.2026. A perusal of the complaint *prima facie* indicates that the allegations are bald in nature and no specific overt acts or instances are attributed to the petitioner. It is also to be noted that similar allegations have been made against two other persons against whom FIR was registered in Crime No.141/2025 and the trial Court, in Criminal Miscellaneous No.396/2026 in respect of accused No.1, bail is granted on 18.03.2026 by the II Additional District and Sessions Judge, Tumakuru.

6.1. Moreover, a perusal of the FIR indicates that *prima facie* the ingredients necessary to attract the alleged penal provision are not clearly made out. The petitioner is aged about



77 years and if he is not protected by an order of anticipatory bail, his personal liberty would be seriously affected.

7. In the light of the above *prima facie* observations, this Court is of the view that the petitioner is entitled to be enlarged on anticipatory bail. Accordingly, the following:

ORDER

(i) The Criminal Petition is ***allowed***.

(ii) The petitioner/accused shall be enlarged on bail in the event of his arrest in Crime No.54/2026 registered by Devanahalli Police Station, Bengaluru Rural District, for the offence punishable under Section 64(2)(k) of the Bharatiya Nyaya Sanhita, 2023, subject to the following conditions:

(a) The petitioner shall appear before the Investigating Officer within fifteen days from the date of receipt of a certified copy of this order and shall execute a personal bond for a sum of Rs.1,00,000/- (Rupees One Lakh only)



with two sureties for the likesum to the satisfaction of the Investigating Officer;

(b) The petitioner shall cooperate with the investigation and shall appear before the Investigating Officer whenever called upon for the purpose of investigation;

(c) The petitioner shall not threaten or tamper with the prosecution witnesses;

(d) The petitioner shall appear before the trial Court on all hearing dates unless exempted.

(e) The petitioner shall not indulge in any criminal activity.

In case the petitioner violates any of the above conditions, liberty is reserved to the prosecution to file necessary application for cancellation of bail.

SD/-
(K. V. ARAVIND)
JUDGE

DDU
List No.: 1 Sl No.: 112