



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 5TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE S RACHAIAH

CRIMINAL APPEAL NO. 815 OF 2026 (U/S 14(A) (2))

BETWEEN:

1. SRI CHENNAKESHA D M
S/O SRI. MUNIGANGAIAH,
AGED ABOUT 49 YEARS,
R/A NO.48, DODDABELE,
NELAMANGALA,
BENGALURU RURAL – 562 132.

...APPELLANT

(BY SRI. SANDEEP S PATIL.,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
THROUGH BENGALURU CITY
DCRE WEST POLICE STATION,
REPRESENTED BY
STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BENGALURU – 560 001.
2. SRI. AYYAPPA K
S/O LATE KUMARASWAMY,
AGED ABOUT 46 YEARS,
R/A NO.442, DAIGNAL ROAD,
2ND FLOOR, NEAR CANARA BANK,

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



VV PURAM,
BENGALURU – 560 004.

...RESPONDENTS

(BY Ms. ASMA KOUSER., ADDL. SPP FOR R1;
BY SRI. VISHNU PRASAD A C FOR R2)

THIS CRL.A. FILED U/S 14(A)(2) OF SC/ST (POA) ACT, 2015 BY THE ADVOCATE FOR THE APPELLANT/S PRAYING THAT THIS HONBLE COURT MAY BE PLEASED TO ALLOW THE PRESENT CRIMINAL APPEAL SET ASIDE THE IMPUGNED ORDER DATED 28.04.2026 PASSED BY THE HON'BLE LXX ADDL. CITY CIVIL AND SESSIONS JUDGE AND SPECIAL JUDG, BENGALURU (CCH - 71), IN CRL.MISC.NO.2690/2026 AND CONSEQUENTLY GRANT AN ORDER OF PRE ARREST BAIL AND DIRECT THE RESPONDENT NO.1 POLICE TO ENLARGE THE APPELLANT ON BAIL IN THE EVENT OF HIS ARREST IN CRIME NO.03/2026 FOR THE OFFENCES P/U/S 3(1)(r), SECTION 3(1)(s) OF THE SC AND ST (POA) AMENDMENT ACT 2015, AND U/S 115(2), SECTION.352, SECTION.351(2) R/W 3(5) OF THE BNS 2023, PENDING ON THE FILE OF THE HON'BLE LXX ADDL. CITY CIVIL AND SESSIONS JUDGE AND SPECIAL JUDGE BENGALURU (CCH-71).

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

CORAM: HON'BLE MR. JUSTICE S RACHAIAH



ORAL JUDGMENT

1. This Criminal Appeal is filed by the appellant seeking anticipatory bail in Crime No.3/2026 filed by the respondent – Police for the offence punishable under Section 3(1)(r), 3(1)(s) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Amendment At, 2015 and under Section 115(2), 352, 351(2) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023, on the file of LXX Additional City Civil and Sessions Judge (Special Judge), Bengaluru.

Factual matrix of the case:

2. The case of the prosecution is that one Sri. Ayyappa K., had lodged a complaint stating that he was working as a President of the Karnataka Dalitha Sangarsha Samithi for the past 25 years. One Sri. Cheluvaraya allegedly borrowed a sum of Rs.5,00,000/- from the complainant. However, it was not repaid. In spite of repeated requests made by the complainant, the said amount was not repaid. In the meantime, the wife and mother of the said Cheluvaraya approached the complainant and requested him to give some more time to repay the said



amount. Further, the complainant was informed that the entire family had been cheated by Mr. Channakeshava and Veeresh who are the persons committed fraud against Cheluvaraya. The complainant further informed that on 23.03.2026, the said Channakeshava and Veeresh were coming to Basavanagudi Police Station in connection with one vehicle theft case. On receiving the written complaint the complainant with his team went to Basavanagudi Police Station and waited up to 8.50 p.m. However, the said persons did not appear before the Police station. Later, the complainant came to know that broker Channakeshava and his friends were standing near Basavanagudi Bus stand. On seeing them the complainant approached along with his team and asked him as to why he was doing the fraud against the family of Cheluvaraya.

3. On hearing the said question, the appellant started shouting at the complainant by naming his caste and insulted in the public. Being aggrieved by the same the complainant lodged a complaint before the respondent – Police. The respondent – Police registered a case, the investigation is under progress.



4. Heard learned counsel for the respective parties.

5. Learned counsel for the appellant submits that the appellant is innocent of the alleged offences and he has been falsely implicated in this case. A complaint came to be registered by the complainant by taking advantage that he belongs to Scheduled Caste and also misused his capacity as a President of Dalitha Sangarsha Samithi. No such incident had occurred in any public view. Therefore, the appellant may be enlarged on bail in order to restore the confidence of the public belonged to the community other than the Scheduled Castes and Scheduled Tribes. Making such submissions learned counsel for the appellant prays to allow the appeal.

6. *Per Contra*, learned High Court Government Pleader for respondent vehemently submitted that the appellant had committed an offence in the public view. *Prima-facie* case has been made out against the appellant. The averments of the complaint would indicate the *prima-facie* case. Such being the fact, it is not appropriate to grant anticipatory bail as there is a bar under Section 18 of the Act. Making such submissions



learned High Court Government Pleader for respondent prays to reject the appeal.

7. Having heard learned counsel for the respective parties and on perusal of the averments of the complaint, it would indicate a *prima-facie* case against the appellant. Such being the fact, it is not desirable to grant anticipatory bail. Moreover, there is statutory bar to consider the anticipatory bail.

8. Hence, I proceed to pass the following:

ORDER

The Criminal Appeal stands ***rejected***.

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

NM/-