



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 3RD DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE S RACHAIAH

CRIMINAL APPEAL NO. 901 OF 2026 (U/S 14(A) (2))

BETWEEN:

1. PRASHANTH N. N,
S/O NAGARAJ,
AGED ABOUT 20 YEARS,
R/AT NARASIPURA VILLAGE,
NARVE, KOPPA,
CHICKMAGALURU DISTIRCT - 577 126.
2. NITHIN U.N,
S/O NAGESH,
AGED ABOUT 24 YEARS,
R/AT UNTUVALLI,
NARASIPURA VILLAGE,
NARVE, KOPPA,
CHICKMAGALURU DISTIRCT - 577 126.
3. KUMARA SWAMY U.S,
S/O SURAPPA GOWDA,
AGED ABOUT 50 YEARS,



R/AT NO.127/88, SRINGERI,
UNTUVALLI, NARASIPURA,
NARVE, KOPPA,
CHICKMAGALURU DISTIRCT - 577 126.

4. SHABARSIHA K.J,
S/O JAGADISH,
AGED ABOUT 34 YEARS,
R/AT NARVE,
NARASIPURA VILLAGE, KOPPA,
CHICKMAGALURU DISTIRCT - 577 126.

5. VENKATESH U.M,
S/O MARIYAPPAGOWDA,
AGED ABOUT 45 YEARS,
R/AT NO.81, UPPINAGADDE,
MARITHALLU, NARVE, KOPPA,
CHICKMAGALURU DISTIRCT - 577 126.

6. PREETHAM U.K,
S/O KUMARASWAMI,
AGED ABOUT 21 YEARS,
R/AT NO.127/88, SRINGERI,
UNTUVALLI, NARASIPURA,
NARVE, KOPPA,
CHICKMAGALURU DISTIRCT - 577 126.



7. NAGARAJ,
S/O ANNEGOWDA,
AGED ABOUT 60 YEARS,
R/AT NARVE,
NARASIPURA VILLAGE,
NARVE, KOPPA,
CHICKMAGALURU DISTIRCT - 577 126.

...APPELLANTS

(BY SRI. PRAMOD CHANDRA I S., ADVOCATE)

AND:

1. STATE OF KARNATAKA
BY KOPPA POLICE,
REPRESENTED BY
THE STATE PUBLIC PROSECUTORS,
HIGH COURT BUILDING,
DR. AMBEDKAR VEEDHI,
BENGALURU - 560 001.
2. K.R.PUNITH KUMAR,
S/O RAMESH K,
AGED ABOUT 26 YEARS,
R/AT KALMAKKI, NARVE,
NARASIPURA VILLAGE, KOPPA,
CHICKMAGALURU DISTIRCT - 577 126.



3. NITHISH H.C,
S/O CHANDRASHEKHAR,
AGED ABOUT 26 YEARS,
R/AT HEDSE,
BOVANAKOTE VILLAGE,
CHICKMAGALURU DISTIRCT - 577 126.

...RESPONDENTS

(BY SRI. M. V. ANOOPKUMAR., HCGP FOR R1;
R2 IS SERVED AND UNREPRESENTED)

THIS CRL.A IS FILED U/S 438 CR.PC (FILED U/S 482 BNSS) BY THE ADVOCATE FOR THE PETITIONER PRAYING TO SET ASIDE THE ORDER DATED 29.04.2026 IN CRIMINAL MISC.NO.248/2026, PASSED BY I ADDL. SESSIONS AND SPECIAL JUDGE AT CHIKKAMAGALURU, AND CONSEQUENTLY GRANT ANTICIPATORY BAIL TO THE PETITIONERS IN THE EVENT OF THEIR ARREST IN CONNECTION WITH CR.NO.23/2026, REGISTERED BY KOPPA P.S. CHIKKAMAGALURU DISTRICT FOR THE OFFENCE P/U/S 115(2), 118(1), 351(2) AND 190 OF THE BNS AND SEC.3(1)(r), 3(1)(s) AND 3(1)(v-a) OF SC/ST (POA) ACT AMENDMENT ACT 2015.

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

CORAM: HON'BLE MR. JUSTICE S RACHAIAH



ORAL JUDGMENT

1. The appellants are before this Court seeking anticipatory bail in Crime No.23/2026 filed by the respondent – Police for the offences punishable under Sections 115(2), 118(1), 351(2) and 190 of the Bharatiya Nyaya Sanhita, 2023, and under Section 3(1)(r)(s) and 3(2)(va) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

Factual matrix of the case:

2. The case of the prosecution is that on 08.04.2026 at about 11.00 a.m., the complainant along with respondent Nos.2 and 3 had been to Chandikeshwara Temple situated at Narve for the purpose of participating in Tulabhara function. It is further alleged that at about 08.00 p.m., the accused No.6 was taking his car from the premises of the temple and asked the respondent No.2 to take away his bike to the other side. When respondent No.2 was moving his bike to the other side, it is alleged that the complainant alleged to have stared at him. Therefore, accused No.6 allegedly questioned the complainant



and his friend as to why they were staring at him. In the said scuffle the quarrel had ensued between them.

3. It is alleged that immediately other persons who are the appellants herein came there and started abusing the complainant and others in a filthy language and also insulted them by naming their caste. Hence, a complaint came to be registered to the respondent – Police. The respondent – Police conducted investigation. The investigation is under progress.

4. In the meantime, the appellants herein had approached the Trial Court for the same relief. However, the Trial Court rejected the bail for the reasons that there is a bar under Section 18 of the Act and the anticipatory bail is not maintainable. Being aggrieved by the same they approached this Court.

5. Heard learned counsel for the respective parties.

6. Learned counsel for the appellant submitted that the allegations are baseless and false and they have been falsely implicated in this case and it is only an altercation between the complainant and the appellants due to issues



relating to parking of the vehicles. Though, it is trivial issue the respondent No.2 has given the color to the said incident as a caste abuse in order to implicate these appellants in a false case.

7. It is further submitted that the alleged assault had taken place at a spur of moment. The appellants had not insulted neither complainant nor his friend by naming their caste. Therefore, the appellant may be enlarged on bail by imposing suitable conditions. Making such submissions learned counsel for the appellants prays to allow the appeal.

8. *Per Contra*, learned High Court Government Pleader for respondent No.1 – State vehemently submitted that the averments of the complaint clearly attract the ingredients of the provisions of SC/ST (POA) Act. The allegations are serious in nature. There is a clear insult which had taken place in the public premises and the averments of the complaint attract the provisions of SC/ST (POA) Act. Hence, there is a bar under Section 18 of the Act. Therefore, the appeal has to be dismissed. Making such submissions learned High Court Government Pleader prays to dismiss the appeal.



9. Having heard learned counsel for the respective parties and on perusal of the averments of the complaint, it appears that on 08.04.2026 at about 11.00 a.m., the complainant and his cousin had been to Chandikeshwara Temple, Narve, to participate in Tulabhara function. On the same day at about 08.00 p.m when they were proceeding to their houses, accused No.6 was coming in the car towards them and asked them to take away their bike. On the said instruction the complainant was taking the bike to the other side. In the meantime, a quarrel had been taken place between the complainant and others. It is alleged that these appellants had insulted the complainant by naming their caste.

10. Having considered the averments of the complaint, it appears that there are *prima-facie* case made out against the appellants which would attract the ingredients of the SC & ST (POA) Act. Therefore, I am of the considered opinion that there is a bar under Section 18 of the Act to consider this appeal.

11 . Hence, I proceed to pass the following:



ORDER

- i. This criminal appeal stands ***dismissed***.
- ii. Liberty is reserved to the appellants to approach the Trial Court for regular bail, if, the application is filed by these appellants before the Trial Court for regular bail.
- iii. Further, the Trial Court is directed to dispose off the matter on the same day itself.

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

NM
List No.: 1 Sl No.: 22