



IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 17TH DAY OF JUNE, 2026
BEFORE
THE HON'BLE MR. JUSTICE S RACHAIAH
CRIMINAL APPEAL NO. 849 OF 2026 (U/S 14(A) (2))

BETWEEN:

SRI. MANJUNATHA,
S/O SRI. SHIVANANJE OWDA,
AGED ABOUT 43 YEARS,
OCC: PRIVATE CAR DRIVER,
NO.83, BEHIND ROAD OF
VENKATAGIRI BAR,
TUNGNAGAR, BANGALURU,
BANGALURU - 560 091.

...APPELLANT

(BY SRI. RAJASHEKHARA SEERI., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
BY BYADARAHALLI PS,
BANGALURU,
REP BY STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BANGALURU - 560 001.
2. SRI. ANGALARAJU,
W/O NAGARAJU,
AGED ABOUT 30 YEARS,
OCC NOT KNOWN,
TUNGNAGAR, BANGALURU,
NO.83, BEHIND ROAD OF



VENKATAGIRI BAR,
BANGALURU - 560 091.

3. SMT. YASHODAMMA,
W/O NAGARAJU,
AGED MAJOR,
OCC: NOT KNOWN,
NO.83, BEHIND ROAD OF
VENKATAGIRI BAR,
TUNGNAGAR, BANGALURU,
BANGALURU - 560 091.

...RESPONDENTS

(BY SRI. P. THEJESH., HCGP FOR R1;
R2 IS SERVED AND PRESENT PHYSICALLY)

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 HON'BLE COURT MAY BE PLEASED TO SET ASIDE THE ORDER DTD 06.05.2026 PASSED BY II ADDL. DISTRICT AND SESSIONS JUDGE BENGALURU RURAL DISTRICT, BENGALURU, IN CRL.MISC.NO.851/2026, REJECTING THE PETITION IN SO FAR AS THE APPELLANT/ PETITIONER NO.1 IS CONCERNED. CONSEQUENTLY GRANT BAIL BY ALLOWING THE PETITION OF THE APPELLANT FOR ANTICIPATORY BAIL IN THE EVENT OF ARREST IN CRIME NO.174/2026, REGISTERED BY THE BYADARAHALLI POLICE STATION, BENGALURU, FOR THE OFFENCES PUNISHABLE UNDER SECTION 3(1)(r), 3(1)(s), OF SC AND ST (PREVENTION OF ATROCITIES) ACT 1989, UNDER SECTION 115(2), 118(1), 352, 351(2), 74, R/W 3(5) OF THE BHARATIYA NYAYA SANHITA (BNS).

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 is filed by the appellant/accused No.1 seeking to set aside the order dated 06.05.2026 passed in Crl.Misc.No.851/2026 by the learned II Additional District and Sessions Judge and Special Judge, Bengaluru Rural District, Bengaluru and to enlarge him on bail in Crime No.174/2026 registered by the respondent-Police for the offences punishable under Sections 115(2), 118(1), 352, 351(2), 74 r/w 3(5) of Bharatiya Nyaya Sanhita, 2023 and Sections 3(1)(r) and 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. The case of the prosecution is that a complaint came to be registered by the complainant stating that he is the resident of the address stated in the complaint. The appellant is the neighbour of the complainant. There were frequent quarrels between the complainant and the appellant in respect of issue regarding disposal of garbage. It is alleged that on 09.04.2026, around 03.45 pm, the appellant insulted the family members of the complainant by naming their caste and also assaulted the



mother of the complainant by holding the tuft and insulted the family members of the complainant by using filthy language.

3. It is further stated that the complainant sustained grievous injuries to his eyes and was also threatened by the appellant with dire consequences. Hence, the complaint. Based on the said complaint, the respondent-Police have registered a case and conducted investigation.

4. The submission of the learned counsel for the appellant is that the order of the Trial Court in rejecting the bail of the appellant is erroneous for the reasons that accused No.2 immediately after the incident had lodged a complaint against respondent Nos.2 and 3. However, the respondents have filed a case in order to avoid the said case as a retaliation.

5. It is further submitted that even on reading of the averments in the entire complaint reveals that the appellant was not present at the time of the alleged incident. Therefore, the statutory bar under Section 18 of the Act would not be coming by way of deterrence. Hence, the appeal may be allowed and the appellant may be enlarged on anticipatory bail



by imposing suitable conditions. He will abide by the conditions to be imposed in the event of his release on bail. Making such submissions, learned counsel for the appellant prays to allow the appeal.

6. *Per contra*, learned High Court Government Pleader for respondent No.1-State justified the order passed by the Trial Court in rejecting the bail and submitted that the averments of the complaint would indicate that at about 04.00 pm, the appellant trespassed into the house of the complainant and assaulted the complainant and others and also insulted by naming the caste of the complainant. Therefore, the Trial Court has rightly rejected the anticipatory bail. Making such submissions, learned High Court Government Pleader prays to reject the appeal.

7. Having heard the learned counsel for the respective parties and on perusal of the averments of the complaint, it would indicate that the appellant abused the complainant by naming his caste which would certainly attracts the ingredients of the SC/ST (POA) Act. In other words, it makes out a *prima facie* case against the appellant. Under such circumstances, it is



necessary to invoke the provisions under Section 18A of the Act. Hence, I proceed to pass the following:

ORDER

The appeals stands ***dismissed***.

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

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