



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 9TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE S RACHAIAH

CRIMINAL APPEAL NO. 883 OF 2026 (A)

BETWEEN:

1. SRI. NAVEEN KUMAR K.S.,
S/O. SRI. NAVEEN RAO,
AGED ABOUT 39 YEARS,
R/AT. M.G. ROAD,
NEAR K.N.S CIRCLE.
OPP. FOREST DEPARTMENT OFFICE,
KANAKAPURA TOWN,
BENGALURU SOUTH DISTRICT - 562 117.

...APPELLANT

(BY SRI. PREMA KUMAR G A., ADVOCATE)

AND:

1. STATE OF KARNATAKA
BY HAROHALLI POLICE,
REPRESENTED BY SPP,
HIGH COURT- COMPLEX,
BANGALORE – 560 001.



2. SMT. JAYAMMA,
W/O. THIMMAIAH,
AGED ABOUT 60 YEARS.
R/AT. T. BANNIKUPPE VILLAGE,
HAROHALLI HOBLI AND TALUK,
BENGALURU SOUTH DISTRICT – 562 117.

...RESPONDENTS

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

THIS CRL.A IS FILED U/S 14(A)(2) OF SC/ST (POA) ACT, 2015 BY THE ADVOCATE FOR THE APPELLANT/S PRAYING TO SET ASIDE THE ORDER DATED 28/04/2026, IN CRL.MIS.NO.178/2026, PASSED BY THE I ADDL. DISTRICT AND SESSIONS JUDGE, SPL JUDGE AT RAMANAGARA AND MAY KINDLY ENLARGED THE APPELLANT ON BALL IN CR.NO.257/2025 OF HAROHALLI POLICE FOR THE OFFENCE PUNISHABLE UNDERSECTION 64(1), 351(2) OF BNS ACT AND UNDER SECTIONS 3(1)(w)(i), 3(2)(v) OF SC AND ST (PREVENTION OF ATROCITIES) AMENDMENT ACT, 2015.

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 learned counsel for the appellant/accused No.1 under Section 14(A)(2) of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, being aggrieved by the order dated 28.04.2026 passed in Crl.Misc.No.178/2026 on the file of I Additional District and Sessions Judge, Ramanagara, for the offences punishable under Section 64(1), 351(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 3(1)(w)(i), 3(2)(v) of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

Factual matrix of the case:

2. The case of the prosecution is that a complaint came to be registered by the complainant stating that she belongs to Bhovi community. According to her, her daughter who is the victim in this case was suffering from epilepsy and she seems to be mentally retarded. Therefore, she used to stay at home and all the members of the family were going out on work for their livelihood. Such being the fact, on 20.09.2025, in the afternoon, it is alleged that the appellant has committed



sexual assault on the victim. Subsequently, the complainant has learnt that her daughter had been subjected to penetrative sexual assault. Therefore, she lodged a complaint on 04.10.2025. Based on the complaint, the respondent – Police registered a case, conducted investigation and submitted the charge-sheet.

3. Heard learned counsel for the respective parties.

4. Learned counsel for the appellant submits that the appellant is innocent of the alleged offences and he has been falsely implicated in this case. There is an inordinate delay in lodging the complaint. Even though, the alleged incident had occurred on 20.09.2025, the complaint came to be registered on 04.10.2025. The appellant is the earning member of the family and also he is a married man and he will abide by the conditions to be imposed by this Court in the event of his release on bail. Making such submissions learned counsel for the appellant prays allow the appeal.

5. *Per Contra*, learned High Court Government Pleader for respondent vehemently submitted that the victim had no worldly knowledge and also she was suffering from epilepsy.



Taking advantage of her innocence the appellant had committed sexual assault on her knowingly that she belongs to Scheduled Caste. The manner in which the appellant had taken advantage of the innocence of the victim shows his beast act. Therefore, the appellant is not entitled for any relief as prayed for in this appeal. Making such submissions learned High Court Government Pleader prays to dismiss the appeal.

6. Having heard learned counsel for the respective parties and on perusal of the findings of the Trial Court in rejecting the application for bail, as per the averments of the complaint, the appellant had allegedly committed sexual assault on the victim on 20.09.2025. The complaint came to be registered on 04.10.2025. Moreover, the appellant is a married man and he belongs to different village. There is no whisper regarding the alleged sexual assault committed on account of she belongs to Scheduled Caste. Moreover, charge-sheet is filed and he is not required for any further investigation. Hence, it is appropriate to grant bail to the appellant.

7. Hence, I proceed to pass the following:



ORDER

- i. This criminal appeal is **allowed**.
- ii. The appellant is ordered to be enlarged on bail in Crl.Misc.No.178/2026 on the file of I Additional District and Sessions Judge, Ramanagara, for the offences stated *supra*, on executing a personal bond for a sum of Rs.1,00,000/- (Rupees One Lakh) with one (01) surety to the like sum to the satisfaction of the Trial Court.
- iii. The appellant shall not threaten or tamper with the prosecution witnesses nor hamper the proceedings of the Court.
- iv. The appellant shall appear before the Trial Court on all hearing dates, without fail.
- v. The appellant shall not involve in any criminal cases till disposal of the case.



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

Sd/-
(S RACHAIAH)
JUDGE

NM/-