



CNR: KAHC010366032026

NC: 2026:KHC:37003
CRL.A No. 1045 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 20TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE S RACHAIAH

CRIMINAL APPEAL NO. 1045 OF 2026 (U/S 14(A) (2))

BETWEEN:

SRI. NAGESHA,
S/O LATE SRI. MAHADEVAIAH,
AGED ABOUT 53 YEARS,
R/AT KELLAMBALLI VILLAGE,
KASABA HOBLI,
CHAMARAJANAGARA TALUK,
CHAMARAJANAGARA DISTRICT – 571 313.

...APPELLANT

(BY SRI. P. NATARAJU., ADVOCATE)

AND:

1. STATE OF KARNATAKA BY
DCRE (DIRECTORATE OF
CIVIL RIGHTS ENFORCEMENT)
POLICE STATION,
CHAMARAJANAGARA DISTRICT.
REPRESENTED BY
STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BENGALURU – 560 001.

Digitally
signed by
SUSHMA
LAKSHMI B
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Location:
High Court
of Karnataka



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2. SMT. ASHWINI,
W/O. SHIVARAJU,
AGED ABOUT 30 YEARS,
R/AT KELLAMBALLI BILLAGE,
DR. AMBEDKAR STREET,
KASABA HOBLI,
CHAMARAJANAGARA TALUK,
CHAMARAJANAGARA DISTRICT – 571 311.

...RESPONDENT

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

THIS CRL.A IS FILED U/S 14(A)2) OF SC/ST (POA) ACT BY THE ADVOCATE FOR THE APPELLANT PRAYING TO SET ASIDE THE ORDER PASSED BY THE LEARNED PRINCIPAL DISTRICT AND SESSIONS JUDGE AT CHAMARAJANAGARA, IN CRL.MISC.NO.178/2026, DATED 15.05.2026 AND MAY BE PLEASED TO ENLARGE HIM ON BAIL IN THE EVENT OF HIS ARREST IN CR.NO.4/2026, FOR THE OFFENCE P/U/S 85, 115(1), 118(1), 351(1), 109(1), 49, 82 R/W SEC.3(5) OF THE BNS 2023 AND SEC.3(1)(s) AND 3(2)(va) OF SC/ST (POA) ACT 2015.

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



CORAM: HON'BLE MR. JUSTICE S RACHAIAH

ORAL JUDGMENT

This appeal has been filed by the appellant being aggrieved by the order dated 15.05.2026 in Crl.Misc.No.178/2026 on the file of the Principal District and Sessions Judge, Chamarajanagara, wherein his application for anticipatory bail has been rejected for the offences punishable under Sections 85, 115(1), 118(1), 351(1), 109(1), 49, 82 r/w 3(5) of the Bharatiya Nyaya Sanhitha, 2023 and under Sections 3(1)(s) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

2. The brief facts of the case is that the complainant who is none other than the wife of accused No.1 lodged a complaint stating that she had been subjected to harassment by her husband, mother-in-law and also one Chaitra including the present appellant on one or the other pretext and it is alleged that accused Nos.1, 2 and 4 were demanding an amount of Rs.3,00,000/- as dowry and started assaulting her. Consequently, on 17.04.2026 and 18.04.2026, there were two panchayaths held in the presence of the panchayathars to



pacify the matter. However, the appellant and other accused continued the same. Consequently, she lodged a complaint against the appellant and others. The respondent-Police have registered a case and conducted investigation. The investigation is under progress. In the meantime, the appellant approached the Trial Court filing the miscellaneous petition seeking for anticipatory bail. However, the same has been rejected.

3. The submission of the learned counsel for the appellant is that, the appellant has been falsely implicated in this case. He is nowhere connected with the alleged harassment and cruelty. In fact, he is not involved in any of the offence alleged by the complainant. Even on reading the averments of the complaint, it appears that a false case has been registered against him in order to implicate him in this case as one of the accused. The appellant also belongs to the same community of the complainant. The alleged offences are neither punishable with death nor imprisonment for life. Therefore, the appellant may be enlarged on 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.

4. *Per contra*, learned Additional State Public Prosecutor for respondent No.1-State vehemently submitted that the averments of the complaint would indicate that the appellant along with others, one or the other way, harassing the complainant in connection with the demand for dowry. The complainant has categorically stated about the overt act of the appellant. Hence, it is not appropriate to grant the relief of anticipatory bail to the appellant. Therefore, the same may be dismissed. Making such submissions, learned Additional State Public Prosecutor prays to reject the appeal.

5. Having heard the learned counsel for the respective parties and perusal of the averments of the complaint, though there are several allegations leveled against him, the fact remains that he belongs to the same community of the complainant. Moreover, the alleged offences are neither punishable with death nor imprisonment for life. Having



considered the same, it is appropriate to grant the relief as prayed for.

6. Hence, I proceed towards the following:

ORDER

- i) The appeal is ***allowed***.
- ii) The order dated 15.05.2026 passed in Crl.Misc.No.178/2026 by the learned Principal District and Sessions Judge, Chamarajanagara is set aside.
- iii) The appellant/accused No.3 is ordered to be enlarged on bail in Crime No.04/2026 of respondent - Police, on executing a personal bond for a sum of Rs.1,00,000/- (Rupees One Lakh Only) with one surety for the likesum to the satisfaction of the Investigating Officer and Trial Court, subject to the following conditions:
 - a) The appellant shall not threaten or tamper the prosecution witnesses.



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- b) The appellant shall appear before the Investigating Officer within a period of one month from the date of receipt of the copy of this order.
- c) The appellant shall co-operate with the investigation till filing of the final report.

Registry is directed to communicate this order to the concerned Police Station, forthwith.

Sd/-
(S RACHAIAH)
JUDGE

NR/-
List No.: 1 Sl No.: 6