



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 1ST DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE S RACHAIAH

CRIMINAL APPEAL NO. 916 OF 2026

BETWEEN:

PRASAD KUMAR K.R.
S/O LATE D. RAMKRISHNE GOWDA,
AGED ABOUT 36 YEARS,
R/AT KYAMASANDRA VILLAGE,
DABBEGATTA HOBLI, TURUVEKERE TALUK,
TUMAKURU, KARNATAKA.

...APPELLANT

(BY SRI. RAKSHITH R, ADVOCATE)

AND:

1. STATE OF KARNATAKA
BY TURUVEKERE POLICE STATION,
TUMKUR DISTRICT
REP. BY LEARNED SPP,
HIGH COURT OF KARNATAKA,
BANGALORE - 560 001.

2. CHETHAN KUMAR D
S/O DASAPPA,
AGED ABOUT 38 YEARS,
R/AT KUNAKENAHALLI VILLAGE,
KASABA HOBLI, TURUVEKERE TALUK,
TUMKUR DISTRICT.

...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 PRAYING TO SET ASIDE THE IMPUGNED ORDER DATED 27.05.2026 PASSED BY THE LD III ADDL.DISTRICT AND SESSIONS JUDGE, AT TUMAKURU IN CRL.MISC NO.772/2026 AND CONSEQUENTIALLY ENLARGE THE APPELLANT ON BAIL IN (CR NO.139/2026) OF TURUVEKERE POLICE STATION PENDING ON THE FILE OF THE III ADDL.DISTRICT AND SESSIONS JUDGE AT TUMAKURU FOR THE OFFENCE P/U/S 115(2), 118(1), 351(2) R/W 3(5), 352 OF BNS ACT AND SECTION 3(1)(r), 3(1)(s), 3(2)(va) 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

This appeal is filed by the appellant/accused being aggrieved by the order dated 27.05.2026 in Crl.Misc.Pet.No.772/2026 for the offences punishable under Sections 115(2), 118(1), 351(2), 352 read with Section 3(5) of the BNS 2023 and under Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, passed by the III Additional District and



Sessions Judge, Tumkuru and seeking for releasing him on regular bail.

2. The case of the prosecution is that on May 12, 2026, at 11:00 a.m., a complaint came to be registered by respondent No.1 stating that he belongs to the Adi-Dravida caste and he is a resident of Kunikenahalli village, Kasaba Hobli, Turuvekere Taluk. The complainant/respondent No.1 stated that he was working as a loan recovery officer in the company, namely, Ring and Christ Finance Company, Turuvekere. Smt. Latha, who is the wife of the appellant had borrowed a loan of Rs.23,400/- from the said finance company, agreeing to repay the same on a monthly installment basis. On May 11, 2026, the complainant/respondent No.2 visited the house of Smt. Latha and requested her to make payment towards the outstanding installments. She informed him that her husband would handle the payment.

3. The appellant herein, who is the husband of Smt. Latha, had called the complainant/respondent No.2 over the phone and asked him to meet near Doddaghatta gate to make payment towards loan. Believing the said information, the



complainant/respondent No.2 went along with his friend to the said place and waited for his arrival. The appellant and his friend came to the said place and it is alleged that both of them assaulted the complainant and insulted him by abusing him by naming the caste. Hence, he lodged a complaint. The investigation is under progress.

4. The learned counsel for the appellant submits that the complainant, being a recovery agent, had insulted the wife of the appellant in the public. Therefore, the appellant had advised the complainant to behave properly with the women and also informed him that he would make payment later. Being aggrieved by the said incident, a false case has been registered by the appellant in order to escape from the complaint proposed to be filed by the wife of the appellant.

5. It is further submitted that the appellant is the permanent resident of Kyamasandra village, Turuvekere Taluk. He is the earning member of the family. He would abide by the conditions to be imposed in the event of his release on bail. Making such submission, the learned counsel for the appellant prays to allow this appeal.



6. Per contra, learned HCGP vehemently submitted that the appellant is a rowdy sheeter and the investigation is under progress. There may be chances of tampering the prosecution witness, hence, it is not appropriate to grant the relief as prayed for in the appeal. Making such submission, he prays to dismiss the appeal.

7. Heard learned counsel appearing for the respective parties and perused the averments made in the complaint. The complainant, being a recovery agent of Ring and Christ Finance Company situated at Turuvekere, had been to the house of the appellant to collect the monthly installment amount. The complainant was asked to meet the appellant at Doddagatta Gate. Therefore, he went along with friend to meet the appellant. No doubt, the appellant is a rowdy sheeter and some cases are pending against him. Merely because there is pendency of cases would not be the ground to deny the bail for the reasons that the complainant, being the recovery agent, had approached the wife of the appellant and it is alleged that he had insulted the wife of the appellant.



8. Having considered the nature and gravity of the offence, it is appropriate to grant the relief as prayed for in this appeal.

9. Hence, I proceed to pass the following:

ORDER

- i) The Criminal Appeal is ***allowed***.
- ii) The impugned order passed by the learned III Additional District and Sessions Judge, Tumkuru in Crl.Misc.Pet.No.772/2026 dated 27.05.2026 is set aside.
- iii) The appellant is directed to be enlarged on bail in Crime No.139/2026 of Turuvekere Police Station, Tumakuru registered for the offences punishable under Sections 115(2), 118(1), 351(2), 352 read with Section 3(5) of the BNS 2023 and under Sections 3(1)(r) and 3(2)(v) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, subject to the following conditions:
 - a) Appellant shall execute a personal bond for a sum of Rs.2,00,000/- (Rupees Two lakh only) with two sureties for the likesum, to the satisfaction of the jurisdictional Court and investigation officer.



- b) Appellant shall not threaten the prosecution witnesses.
- c) Appellant shall appear before the Trial Court on all dates of hearing.
- d) Appellant shall not hamper the Court proceedings.
- e) Appellant shall not leave the jurisdiction of the Court till disposal of the case.
- f) Appellant shall not involve in any other criminal cases or such similar cases in future till disposal of the present case.

Sd/-
(S RACHAIAH)
JUDGE