



CNR: KAHC010407202026

NC: 2026:KHC:36361
CRL.A No. 1007 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE S RACHAIAH

CRIMINAL APPEAL NO. 1007 OF 2026 (U/S 14(A) (2)-)

BETWEEN:

1. SURESH H N
S/O NARAYANA RAO,
AGED ABOUT 58 YEARS,
2. KASTURIBAI
W/O SURESH H N
AGED ABOUT 55 YEARS

A1 & A2 ARE RESIDING AT
THOTADAMANE, NARASIPURA VILLAGE,
HUNASAGHATTA, TARIKERE TALUK,
CHIKKAMAGALURU DISTRICT - 577213.

3. NARASIMHABABU,
S/O T.N. SHANKAR,
AGED ABOUT 38 YEARS,
4. ASHWINI H.S @ SAKKUBHAI,
W/O NARASIMHABABU,
AGED ABOUT 35 YEARS,

A3 & A4 ARE RESIDING AT
THIPPASETTIHALLI,
THYAMAGONDLU HOBLI,
NELAMANGALA TALUK,
BENGALURU RURAL DISTRICT.

...APPELLANTS

(BY SRI. N K SIDDESWARA.,ADVOCATE)

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



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AND:

1. STATE OF KARNATAKA
BY AJJAMPURA POLICE STATION,
REPRESENTED BY THE
STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDING,
BENGALURU - 560001.
2. ASHWINI H M
W/O ANAND S.,
AGED ABOUT 33 YEARS,
3. ANAND S.
S/O SURESH H N ,
AGED ABOUT 36 YEARS,

R2 & R3 ARE RESIDING AT
THOTADAMANE, NARASIPURA VILLAGE,
HUNASAGHATTA, TARIKERE TALUK,
CHIKKAMAGALURU DISTRICT - 577213.

...RESPONDENTS

(BY SRI. M.V. ANOOP KUMAR, HCGP FOR R1;
R2 & R3 ARE SERVED & 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 THAT THIS HONBLE COURT MAY BE PLEASED TO SET ASIDE THE ORDER DATED 29.05.2026 PASSED BY THE LEARNED I ADDL SESSIONS AND SPECIAL JUDGE, CHIKKAMAGALURU IN CRL.MISC.NO.273/2026. B) ENLARGE THE APPELLANT ON ANTICIPATORY BAIL IN CRIME NO.118/2026 REGISTERED BY AJJAMPURA POLICE STATION, CHIKKAMAGALURU DISTRICT, FOR THE OFFENCE P/US/ 352,115(2),118(1),351(2),3(5) OF BNS 2023 AND SEC.3(1)(w)(i) AND 3(2)(va) OF SC/ST (POA) ACT 1989 IN THE EVENT OF THEIR ARREST.

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



CORAM: HON'BLE MR. JUSTICE S RACHAIAH

ORAL JUDGMENT

The appellants are before this Court seeking anticipatory bail in Cr.No.118.2026 filed by the respondent-Police for the offence under Sections 352, 115(2), 118(1), 351(2) and 3(5) of Bharatiya Nyaya Sanhita, 2023 and Sections 3(1)(w)(i) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. After filing of the FIR, the appellants have approached the Trial Court for grant of anticipatory bail. However, the Trial Court, by its order dated 29.05.2026 in Crl.Misc.No.273/2026, rejected bail on the ground that there is a bar under Section 18 of the SC/ST Act.

2. The facts of the case is that the complainant belongs to Scheduled Caste. The appellants belong to Marathi Community. The husband of the complainant is none other than the son of appellant No.1. The respondent Nos.1 and 2 are husband and wife and they married each other as per Hindu customs. After the marriage, respondent No. 2 started residing with her in-laws, who took care of her well for a period of about 20-25 days. It is further alleged in the complaint that she was



being insulted by the appellants on several occasions by naming her caste. On 13.04.2026 at about 05.30 p.m. when she was being abused by the appellants, she questioned them as to why they were scolding her, whereupon she was assaulted. In the meantime, respondent No.3 went to rescue respondent No.2. At that time, he was also assaulted by the appellants. Hence, the complaint. Based on the said complaint, the respondent-Police registered a case and conducted the investigation. The investigation is under progress.

3. The submission of the learned counsel for the appellants that the appellants are innocent of the alleged offences. There was a dispute between respondent No.3 and his parents with respect to immovable property. Therefore, respondent No.3 instigated respondent No.2 to file a false case in order to take revenge against them. No such incidents had occurred in the house. In fact, the marriage between respondent Nos.2 and 3 was an arranged marriage and respondent No.2 was residing along with her in-laws. They were taking good care of her without expressing any words



regarding her caste. However, the complaint came to be registered on account of inducement by respondent No.3.

4. It is further submitted that the appellants are the members of the same family. The averments of the complaint though would attract the provisions of SC/ST (POA) Act, the fact remains that the provisions of the act have been used as a weapon to teach the elderly members of the family a lesson. They will abide by the conditions to be imposed by this Court in the event of their release on bail. Therefore, the appeal may be allowed and the appellants may be enlarged on bail by imposing suitable conditions.

5. *Per contra*, learned High Court Government Pleader for respondent No.1-State vehemently submitted that the averments of the complaint would indicate that there are *prima facie* provisions of invoking Section 18 of SC/ST Act. As there is a bar under Section 18 of the Act, this appeal requires to be rejected. Making such submissions, learned HCGP prays to reject the appeal.



6. Having heard the learned counsel for the respective parties and on perusal of the averments of the complaint, it appears that the complainant married respondent No.3, who is none other than the son of appellant Nos.1 and 2. It is his second marriage with respondent No.2 and it is also an arranged marriage. As per the averments of the complaint, she was residing along with her in-laws peacefully for more than a month. Thereafter, it is alleged that she was being insulted, humiliated and degraded in the house on the ground that she belongs to a scheduled caste. It is alleged in the complaint that she had been assaulted by the appellants, and respondent No.3 also sustained injuries in the said incident.

7. Be that as it may. On going through the averments of the complaint, no doubt it would affect the ingredients of the provisions of SC/ST Act. Hence, it is appropriate to reject the appeal. Hence, I proceed to pass the following:

ORDER

- i) The appeal stands ***rejected***.



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- ii) The appellants are directed to approach the Trial Court on a regular basis.
- iii) The Trial Court is directed to consider the bail application on the same day and release them on the same day in order to secure the interest of justice.

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

NR/-
List No.: 1 Sl No.: 18