



CNR: KAHC010409582026

NC: 2026:KHC:39890
CRL.P No. 8627 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 8627 OF 2026

BETWEEN:

1. RAMALINGAIAH
S/O LATE NANJEGOWDA
AGED ABOUT 31 YEARS,
R/AT YADAVANI VILLAGE,
AMRUTHUR HOBLI,
KUNIGAL TALUK,
TUMKUR DISTRICT 572130
2. CHETAN HN
S/O NANJESH HN
AGED ABOUT 22 YEARS,
HALEHALLI, KOPPA HOBLI,
MADDUR TALUK,
MANDYA DIST 571425

...PETITIONERS

(BY SRI. VIKYATH B, ADVOCATE)

AND:

STATE OF KARNATAKA BY
HULIYURDURGA POLICE
REP BY SPP
HIGH COURT BUILDING
BANGALORE-560 001

...RESPONDENT

(BY SRI. RANGASWAMY R, HCGP)

Digitally signed
by NIRMALA
DEVI
Location: HIGH
COURT OF
KARNATAKA



NC: 2026:KHC:39890
CRL.P No. 8627 of 2026

CNR: KAHC010409582026

THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483 BNSS) BY THE ADVOCATE FOR THE PETITIONER PRAYING TO ENLARGE THE PETITIONERS ON BAIL IN CR.NO.107/2026 OF HULIYURUDURGA P.S. ON THE FILE OF ADDL. CIVIL JUDGE (SR.DN) AND CJM AT KUNIGAL, TUMKUR FOR THE OFFENCE P/U/S 76, 329(4), 351(2), 352, 324(4), R/W 3(5) OF BNS.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

1. Accused Nos.1 and 3 in Crime No.107/2026 registered by Huliyaudurga Police Station, Tumkur for the offence punishable under Section 109, 324(4), 329(4), 351(2), 352, 76 r/w 3(5) of BNS, 2023 are before this Court in this petition filed under Section 483 of BNSS, 2023, seeking regular bail.
2. Heard the learned counsel for the parties.
3. FIR in Crime No.107/2026 was registered by Huliyaudurga Police Station, Tumkur for the offences punishable under Sections 76, 329(4), 351(2), 352, 324(4) r/w 3(5) of BNS, 2023 against petitioners herein and another based on the first information dated 25.05.2026 received from Siddarajamma. During the course of investigation of the said case, petitioners



CNR: KAHC010409582026

were arrested on 27.05.2026 and remanded to judicial custody. Their bail applications filed before the jurisdictional Sessions Court in Crl.Misc. No.829/2026 was rejected on 09.06.2026. Therefore, they are before this Court.

4. Learned counsel for the petitioners submits that undisputedly, nobody has suffered any injury in the incident in question and therefore, the police have wrongly invoked offence punishable under Section 109 of BNS, 2023 in the present case. The maximum punishment for the other offences is imprisonment for a period of 7 years. Investigation of the case is completed. Accordingly, he prays to allow the petition.

5. Per contra, learned HCGP who has opposed the petition submits that petitioners were earlier involved in another criminal case registered for offences punishable under Sections 323 and 324 of IPC. Though the first informant and her family members have not suffered any injury in the incident, an attempt was made to commit their murder and therefore, offence punishable under Section 109 of BNS, 2023 is invoked in the present case. Accordingly, prays to dismiss the petition.



NC: 2026:KHC:39890
CRL.P No. 8627 of 2026

CNR: KAHC010409582026

6. First informant is the mother of Rudresh who is said to be carrying on the business of tent house and supply of water in tankers in his village. It appears that accused No.1 also was carrying on the same business and therefore, he had earlier quarrelled with Rudresh and had asked him to discontinue his business. On the alleged date of incident, accused Nos.1 to 3 came near the house of first informant and allegedly, abused her and her family members using filthy language and thereafter, broke open their gate and entered inside the compound wall of their house. They also damaged the vehicles belonging to the first informant and their family members and broke the window glass of their house and caused damages. When the first informant opened the door and went outside, accused persons allegedly outraged her modesty by pulling her saree and also criminally intimidated her.

7. In the charge sheet though it is alleged that accused persons also tried to commit the murder of the first informant by trying to assault her on her neck with a machete, no such allegation is found in the first information. Investigation of the case is now completed and charge sheet is filed. In the other



CNR: KAHC010409582026

NC: 2026:KHC:39890
CRL.P No. 8627 of 2026

criminal case registered against the petitioners, they have been enlarged on them. In the present case, they are in custody for the last more than two months. Considering the aforesaid aspects of the matter, I am of the opinion that their prayer for grant regular bail needs to be answered affirmatively, subject to appropriate conditions. Accordingly the following:

ORDER

8. The petition is allowed. The petitioners are directed to be enlarged on bail Crime No.107/2026 registered by Huliurdurga Police Station, Tumkur for the offence punishable under Section 76, 329(4), 109, 351(2), 352, 324(4) r/w 3(5) of BNS, 2023, subject to the following conditions:

- a) The petitioner shall execute a personal bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) each with two sureties for the likesum, to the satisfaction of the jurisdictional Court;
- b) The petitioners shall appear regularly on all the date of hearing before the Trial Court unless the Trial Court exempts their appearance for valid reasons;



CNR: KAHC010409582026

NC: 2026:KHC:39890
CRL.P No. 8627 of 2026

- c) The petitioners shall not directly or indirectly threaten or tamper with the prosecution witnesses;
- d) The petitioners shall not involve in similar offences in future;
- e) The petitioners shall not leave the jurisdiction of the Trial Court without permission of the said Court until the case registered against him is disposed of.
- f) petitioners shall appear before the Station House Officer of Huliurdurga Police Station on every first Sunday of the month and mark their attendance between 10.00 a.m. and 01.00 p.m. for a period of 6 months from the date of their release from custody.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

BS
List No.: 1 SI No.: 45