



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 06TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE S RACHAIAH

CRIMINAL APPEAL NO. 1022 OF 2026 (U/S 14(A) (2))

BETWEEN:

1. CHANDU @ R. C. CHANDU,
S/O. LATE PRATHAP,
AGED 21 YEARS,
R/AT: BEHIND LAKSHMI TEMPLE,
MAYASAMUDRA VILLAGE,
DUDDA HOBLI, HASSAN TALUK,
HASSAN – 01.

...APPELLANT

(BY SRI. PRATHEEP.K.C., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REP. BY HASSAN TOWN
POLICE STATION,
HASSAN DISTRICT.
REP. BY ITS
STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,



BANGALORE – 560 001.

2. KIRAN H. T,
S/O THIRUMALAI AH,
AGED ABOUT 25 YEARS,
R/AT HOOVINAHALLI VILLAGE,
KASABA HOBLI, HASSAN TALUK,
HASSAN - 01.

...RESPONDENTS

(BY SRI. CHANNAPPA ERAPPA., HCGP FOR R1;
R2 IS SERVED)

THIS CRL.A. IS FILED U/S.14(A)(2) OF SC/ST (POA) ACT, 2015 BY THE ADVOCATE FOR THE APPELLANT PRAYING TO ALLOW THIS APPEAL BY SETTING ASIDE THE ORDER IN SPL.C.NO.40/2026, DATED 05.06.2026, PASSED BY THE I ADDL. DISTRICT AND SESSIONS AND SPECIAL JUDGE AT HASSAN AND ENLARGE THE APPELLANT ON BAIL IN SPL.C.NO.40/2026 (CRIME NO.169/2025) FOR THE OFFENCE P/U/S 103(1), 238, 61(2), 249, 189(2), 189(4), 304(2) R/W SEC.190 OF BNS AND SEC.3(2)(v) OF SC/ST (POA) ACT AND ETC.,

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



CORAM: HON'BLE MR. JUSTICE S RACHAIAH

ORAL JUDGMENT

1. This appeal has been filed by the appellant, who has been arraigned as accused No.3 in Crime No.169/2025 filed by the respondent - Police for the offences under Sections 103(1), 238, 61(2), 249, 189(2), 189(4), 304(2) r/w 190 of Bharatiya Nyaya Sanhita, 2023 and under Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, seeking for grant of bail.

Factual matrix of the case:

2. The case of the prosecution is that on 07.12.2025 at about 04.30 p.m., C.W.6 had organized the naming ceremony of his brother's son at Puradamma Temple. C.Ws.5, 7, 9, accused No.1 and deceased Keerthi were attending the function. In the said function, a petty quarrel had taken place between the accused and the deceased and the same has been pacified by the intervention of well-wishers. Thereafter, on 08.12.2025 between 02.00 and 02.30 p.m., CWs.5 to 7 went to Nisarga Peg Bar situated near Channapatna Circle for the



purpose of compromising the dispute which took place on the previous day. In the said bar, C.W.9 and Keerthi were present. Accused Nos.1 to 3 came there in the auto bearing registration No.KA.06.AA.7509. Accused No.1 started quarreling with deceased Keerthi. The said Keerthi slapped the accused No.1. The accused No.1 informed accused No.4 over the phone and asked him to bring accused Nos.5 and 6 near Manjunatha Bar. The accused Nos.4 to 6 came in the auto bearing registration No.KA.13.D.8072. The accused Nos.1 to 3 started abusing the said Keerthi and assaulted him with hands and brought him near Manjunatha Bar. From there, accused Nos.1 and 4 kidnapped the deceased Keerthi in an auto bearing registration No.KA.13.D.8072. The accused Nos.2, 3 and 5 followed them in another auto and went to the land situated near bypass road. The accused Nos.1 to 6, in furtherance of their common intention and also with an object to kill the deceased Keerthi, started assaulting him. C.W.3, being the owner of the auto bearing No.KA.13.D.8072, who had rented the said auto to accused No.2, came to the spot and asked



why they were assaulting Keerthi and tried to pacify the matter. Thereafter, C.W.3 demanded accused No.2 to return his auto. The accused Nos.4 and 6 requested C.W.3 to drop them near Navil spot and they took the deceased Keerthi along with them. C.W.3 dropped them near Jain temple and went away. Accused Nos.1, 2, 3 and 5 followed them in another auto and took the deceased Keerthi to the wasteland in Sy.No.51, behind Pavanaputra Chicken Farm, abused the deceased Keerthi in filthy language and assaulted him.

3. The allegation against the appellant/accused No.3 is that, accused No.3 uprooted the stone pillar fixed in the land. Accused No.4 broke the said stone pillar into two pieces. Accused No.2 assaulted the deceased Keerthi with the said stone piece on the chest of the deceased Keerthi. Accused No.1 also assaulted the deceased Keerthi on his chest with the stone piece, causing grievous bleeding injuries. Consequently, the deceased succumbed to the said injuries.



4. Based on the said complaint, the respondent - Police have registered the case, conducted investigation and submitted the charge sheet.
5. Heard Sri Pratheep K.C., learned counsel for the appellant and Sri Channappa Erappa, learned High Court Government Pleader for respondent No.1. Respondent No.2 is served and unrepresented.
6. The submission of learned counsel for the appellant is that the appellant has been arrested on 12.12.2025 and he has been in judicial custody for the past six months. The entire case rests on circumstantial evidence. The overt act attributed to the appellant is based solely on the statement of a co-accused, which is not admissible in evidence. The appellant is innocent of the alleged offences. Suitable conditions may be imposed and he may be enlarged on bail. Making such submissions, learned counsel for the appellant prays to allow the appeal.
7. *Per contra*, learned High Court Government Pleader for the respondent No.1 - State vehemently submitted that the overt act of the appellant has been clearly described



in the charge sheet. Accused Nos.1, 2 and 4 are the persons who committed murder of the deceased Keerthi. Charge sheet has been filed in this regard and they have to face the trial. Hence, it is not appropriate grant the relief as prayed for. Making such submissions, learned High Court Government Pleader for respondent No.1 prays to reject the appeal.

8. Having heard the learned counsel for the respective parties and on perusal of the averments of the charge sheet, it would indicate that the appellant, who is arraigned as accused No.3, is allegedly involved in committing the murder of the deceased Keerthi. No doubt, the entire case is based on circumstantial evidence. C.W.3 is the witness to the last seen theory and bloodstain clothes of the accused have been seized under seizure mahazar. Motive has also been established by way of filing the charge sheet. However, the averments in the charge sheet indicate that they arise from the statement of the co-accused. Having considered the same, it is appropriate to grant the relief as prayed for.



9. Hence, I proceed to pass the following:-

ORDER

- i) The Criminal Appeal is *allowed*.
- ii) The impugned order passed by the learned I Additional District and Sessions and Special Judge, Hassan in Spl.C.No.40/2026 dated 05.06.2026 is set aside.
- iii) The appellant is directed to be enlarged on bail in Crime No.169/2025 of respondent No.1 - Police Station, registered for the offences punishable under Sections 103(1), 238, 61(2), 249, 189(2), 189(4), 304(2) r/w 190 of the Bharatiya Nyaya Sanhita, 2023 and Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, subject to the following conditions:
 - a) The appellant shall execute 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 Trial Court.
 - b) The appellant shall appear before the Trial Court on all hearing dates without fail.



- c) The appellant shall not threaten the prosecution witnesses.
- d) The appellant shall not hamper the Court proceedings.
- e) The appellant shall not leave the jurisdiction of the Court till disposal of the case.
- f) The appellant shall not commit or indulge in any other criminal cases, till disposal of the present case.

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

Sd/-
(S RACHAIAH)
JUDGE