



CNR: KAHC010432742026

NC: 2026:KHC:38240
CRL.A No. 1074 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE S RACHAIAH

CRIMINAL APPEAL NO. 1074 OF 2026 (U/S 14(A) (2))

BETWEEN:

1. SHANKAR V
S/O VENKATAPPA,
AGED ABOUT 51 YEARS,
R/AT NO.173, 7TH CROSS,
NEW BAIYAPPANAHALLI,
VTC - BANGALORE NORTH,
PO: INDIRANAGARA,
BENGALURU – 560 038.

...APPELLANT

(BY SRI. SANDEEP C. T., ADVOCATE)

AND:

1. STATE OF KARNATAKA
BY BYPPANAHALLI P.S.,
HALASUR SUB- DIVISION,
BENGALURU CITY DISTRICT.
REP: STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BENGALURU - 560 001.
2. SAVITHA SINGHE,
W/O RAVEEDRA SINGHE,
AGED ABOUT 31 YEARS,



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R/O NO.569, 8TH CROSS,
NEW BYAPPANAHALLI,
INDIRANAGAR POST,
BANGALORECITY – 560 038.

...RESPONDENTS

(BY SRI. CHANNAPPA ERAPPA., HCGP FOR R1;

RE IS SERVED)

THIS CRL.A IS FILED U/S.14(A) (2) OF SC/ST (POA) ACT, 2015 BY THE ADVOCATE FOR THE APPELLANT/S PRAYING TO ALLOW THIS APPEAL BY SETTING ASIDE THE IMPUNGED ORDER/JUDGEMENT IN CRL.MISC.NO.3910/2026, DATED 23.06.2026 OF THE LXX ADDL. DISTRICT CITY CIVIL AND SESSIONS JUDGE AND SPECIAL JUDGE, BENGALURU (CCH-71) AND ORDER TO RELEASE THE APPELLANT ON BAIL IN SPL.C.NO.1017/2026, ARISING OUT OF CRIME NO.36/2026 REGISTERED BY BYAPANAHALLI POLICE STATION, HALASURU, SUB DIVISION, BENGALURU CITY, FOR THE OFFENCE P/U/S 3(2)(5) OF SC/ST (POA) AMENDMENT ORDINANCE 2015 AND U/S.115(2), 64(1), 352, 74, 351(2) OF BNS 2023

THIS CRIMINAL APPEAL HAVING BEEN HEARD AND RESERVED ON 13.07.2026, COMING ON FOR PRONOUNCEMENT OF JUDGMENT, THIS DAY, THE COURT MADE THE FOLLOWING:-

CORAM: HON'BLE MR. JUSTICE S RACHAIAH



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CAV JUDGMENT

1. This criminal appeal is filed by the appellant who is arrayed as accused No.1 seeking to set aside the order dated 23.06.2026, passed in Crl.Misc.No.3910/2026 on the file of LXX Additional City Civil and Sessions Judge, Special Judge, Bengaluru, wherein, the application for regular bail has been rejected.

Factual matrix of the case:

2. The case of the prosecution is that the husband of the complainant was working as a car driver of the appellant for the past 15 to 20 years. There was a complaint in respect of salary was not being paid properly. The complainant learnt that her husband had been kidnapped on account of committing alleged theft of money from the appellant. She was asked to come near Shivaji Nagar to discuss about the issue. The complainant reached the Shivaji Nagar bus stand and asked the appellant to come and meet her. The complainant was given location, after receiving the said location she went to the



location and contacted the appellant. It was a lodge situated at Shivaji Nagar. After she reached the said lodge and room, it is alleged that she had been subjected to rape on the pretext that her husband had stolen money from the appellant.

3. It is further stated that after the said incident, she narrated the incident to her husband. Even after narrating the said incident, her husband had resumed to work with the appellant as usual. On 15.01.2026, it is further alleged that the appellant had been to the residence of the complainant and he was trying to outrage her modesty in the public. Therefore, she lodged a complaint before the respondent – Police. The respondent – Police after registering a case, conducted investigation and submitted the charge-sheet.

4. Heard learned counsel for the respective parties.

5. Learned counsel for the appellant submits that on reading the averments of the complaint, any ordinary prudent man can arrive at a conclusion that a false complaint has been filed against the appellant and he has been falsely implicated in the said case.



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6. It is further submitted that though, the alleged incident had occurred on 06.01.2026 and 15.01.2026, the complaint came to be registered on 12.02.2026. No explanation has been given to the said delay. Moreover, in the meantime, the appellant had received an acknowledgement of debt by the husband of the complainant. As per the said acknowledgment the husband of the complainant has to give Rs.84,80,000/- to the appellant. In order to overcome the said issue a false case came to be registered against the appellant. Therefore, the appellant may be enlarged on bail by imposing suitable conditions. He will abide by the conditions to be imposed by this Court in the event of his release on bail. Making such submissions learned counsel for the appellant prays to allow the appeal.

7. *Per Contra*, learned High Court Government Pleader for respondent No.1 – State vehemently justified the order of the Trial Court and submitted that on bare reading of the averments of the complaint it would indicate not only the case of rape, but also, the insult committed by the appellant on the complainant in the public on account of that she belonged to



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Scheduled Caste. Therefore, the appellant is not entitled for any relief as prayed for. Making such submissions learned High Court Government Pleader for respondent No.1- State prays to dismiss the appeal.

8. Learned counsel for respondent No.2 adopted the arguments made by learned High Court Government Pleader and prays to dismiss the appeal.

9. Having heard learned counsel for the respective parties and on perusal of the findings of the Trial Court in rejecting the bail it appears that the Trial Court has committed grave error in appreciating the facts and circumstances of the case. In fact, the husband of the complainant was working as a car driver of the appellant for the past 15-20 years. Though, it is alleged that he was not being paid properly, the fact remains that, the husband of the complainant had acknowledged the debt of Rs.84,80,000/- to the appellant much prior to the alleged incident.

10. The Trial Court has failed to take note of the delay in filing the complaint. On going through the said delay and



non-explanation thereof certainly creates doubt in respect of the veracity of the said incident. Therefore, it is appropriate to grant the relief as prayed for in this appeal.

11. In the light of the observations made above, I proceed to pass the following:

ORDER

- i. This criminal appeal is ***allowed***.
- ii. The order dated 23.06.2026, passed in Crl.Misc.No.3910/2026 on the file of LXX Additional City Civil and Sessions Judge, Special Judge, Bengaluru, is hereby set aside.
- iii. The appellant is ordered to be enlarged on bail on executing a personal bond for a sum of Rs.1,00,000/- with one surety to the like sum of the satisfaction of the Trial Court.
- iv. The appellant shall not threaten the prosecution witness or tamper them in any manner.
- v. The appellant shall appear before the Trial Court on all hearing dates, without fail.



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In case, if, 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

NM
List No.: 1 Sl No.: 1