



CNR: KAHC010463872026

NC: 2026:KHC:48844
CRL.P No. 10044 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 9TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 10044 OF 2026

BETWEEN:

PRASAD V
S/O LATE VENKATARAM,
AGED ABOUT 20 YEARS,
PERMANENT R/O UPPAKUNTE VILLAGE,
SUGATURU HOBLI,
TALUKA AND DISTRICT KOLAR - 563 137.
PRESENT R/O IN THE RENTED
HOUSE OF VENKATASWAMY,
12TH CROSS, SHANTINAGAR,
KARANJIKATTE, KOLAR - 563 137.

...PETITIONER

(BY SRI. TIGADI VEERANNA GADIGEPPA, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REP. BY SUB-INSPECTOR OF POLICE
WOMEN POLICE STATION, KOLAR.
DISTRICT KOLAR,
REP. BY STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BENGALURU - 560 001.
2. VICTIM GIRL
D/O LATE SRINIVAS,
AGE 18 YEARS,



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RESIDENT OF KODI KANNURU VILLAGE,
AREHALLI POST, TALUKA AND
DISTRICT, KOLAR - 563 102.

...RESPONDENTS

(BY SRI. RAHUL RAI K, HCGP FOR R1;
SRI. VIJAY KUMAR D.K, ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S 439 OF CR.P.C (U/S 483 BNSS)
PRAYING TO ALLOW THE PETITION BY GRANTING HIM BAIL IN
CR.NO.90/2025 (SPL.C (POCSO) NO.129/2025 REGISTERED BY
KOLAR WOMEN P.S., FOR THE OFFENCES P/U/S 137(2), 64(2),
308(2), 351(2) OF BNS, 2023, U/S 5(L) AND 6 OF POCSO ACT,
2012, PENDING BEFORE THE LEARNED ADDL. DISTRICT AND
SESSIONS JUDGE, FTSC-I (POCSO) KOLAR.

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

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

Accused in Special Case (POCSO) No.129/2025
pending before the Court of the Additional District and
Sessions Judge, FTSC-I (POCSO), Kolar arising out of
Crime No.90/2025 registered by Kolar Women Police



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Station, Kolar for the offences punishable under Section 137(2), 64(2), 308(2) and 351(2), of the BNS, 2023 and Section 6 of the Protection of Children from Sexual Offences Act, 2012, is before this Court in this petition filed under Section 483 of the BNSS, 2023, seeking regular bail.

2. Heard the learned counsel for the parties.

3. FIR in Crime No.90/2025 was registered by Kolar Women Police Station, Kolar for the aforesaid offences against the petitioner herein, based on the first information dated 11.09.2025 received from the victim girl aged about 17 years. During the course of investigation of the said case, the petitioner was arrested on 12.09.2025 and remanded to judicial custody. After completing the investigation, charge sheet is now filed against him for the aforesaid offences. His bail application filed before the trial Court in Special Case (POCSO) No.129/2025 was rejected on 05.05.2026. Therefore, he is before this Court.



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4. Learned counsel for the petitioner has reiterated the grounds of the petition and submits that the victim girl has attained the age of majority in the month of April, 2026. She and the petitioner are in love and they intend to get married.

5. *Per contra*, learned High Court Government Pleader submits that the victim was a minor as on the date of the alleged incident.

6. Learned counsel for respondent No.2, however, does not dispute the submission made by the learned counsel for the petitioner.

7. The victim girl, aged about 17 years, had approached the police on 11.09.2025 and had submitted a first information, based on which FIR was registered against the petitioner for the aforesaid offences. During the course of investigation, the statement of the victim girl under Section 183 of the BNSS, 2023, was recorded by the jurisdictional Magistrate and, in the said statement, the



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victim girl has stated that she and the petitioner are in love. She has also stated that the petitioner's mother was informed about the same, and subsequently, she used to visit the shop of the petitioner's mother. The allegation against the petitioner is that he had sexual intercourse with the victim girl in the said shop.

8. Material on record would go to show that the victim's date of birth is 03.04.2008. Therefore, she has now attained the age of majority. Submission is made on her behalf that she intends to marry the petitioner. The petitioner, aged 20 years, has no criminal antecedents. Continued detention of the petitioner in jail amongst hardcore criminals may have an adverse impact on his mind set. Investigation of the case is already completed

9. Under the circumstances, I am of the opinion that the prayer made by the petitioner for grant of regular bail needs to be answered affirmatively, subject to appropriate conditions. Accordingly, the following:



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ORDER

i) The Criminal Petition is **allowed**.

ii) The petitioner is directed to be enlarged on bail in Special Case (POCSO) No.129/2025 pending before the Court of Additional District and Sessions Judge, FTSC-I (POCSO), Kolar arising out of Crime No.90/2025 registered by Kolar Women Police Station, Kolar for the offences punishable under Section 137(2), 64(2), 308(2), 351(2), of the BNS, 2023 and Section 6 of the Protection of Children from Sexual Offences Act, 2012, subject to the following conditions:

a) The petitioner shall execute personal bond for a sum of Rs.1,00,000/- with two sureties for the likesum, to the satisfaction of the jurisdictional Court;

b) The petitioner shall appear regularly on all the dates of hearing before the Trial Court unless the Trial Court exempts his appearance for valid reasons;



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c) The petitioner shall not directly or indirectly threaten or tamper with the prosecution witnesses;

d) The petitioner shall not involve in similar offences in future;

e) The petitioner shall not leave the jurisdiction of the Trial Court without permission of the said Court until the case registered against him is disposed off.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

SHS
List No.: 1 Sl No.: 28