



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 15TH DAY OF JULY, 2026

PRESENT

THE HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE

AND

THE HON'BLE MRS. JUSTICE K.S. HEMALEKHA

WRIT APPEAL NO. 1718 OF 2026 (GM-POLICE)

BETWEEN:

1. STATE OF KARNATAKA
REPRESENTED BY THE SECRETARY
DEPARTMENT OF HOME
VIDHANA SOUDHA
BANGALORE - 560 001
2. THE SPL. EXECUTIVE MAGISTRATE
SUPERINTENDENT OF POLICE
BANANAJE, UDUPI - 576 101
3. THE SUB-INSPECTOR OF POLICE
KOTA POLICE STATION
GILIYARU VILLAGE
KOTE POST
UDUPI TALUK - 576 221

...APPELLANTS

(BY SMT. NAMITHA MAHESH B.G., AGA)

AND:

1. SRI. BHARATH JAYARAMA
AGED ABOUT 34 YEARS
S/O. JAYARAMA DAS

Digitally
signed by
SRIDEVI S
Location:
High Court
of Karnataka



2-165-1, MOODBITHRI, VARAMBALI
BRAHMAVARA TALUK
UDUPI - 576 213

...RESPONDENT

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE ORDER DATED 26/05/2026 PASSED BY THE LEARNED SINGLE JUDGE IN WRIT PETITION NO.15663/2026 (GM-POLICE) BY ALLOWING THIS APPEAL & ETC.

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

CORAM: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE
and
HON'BLE MRS. JUSTICE K.S. HEMALEKHA

ORAL JUDGMENT

(PER: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE)

1. For the reasons stated in the application, I.A.No.1/2026 is allowed. The delay of 7 days in filing the appeal is condoned.
2. The State has filed the present petition impugning an order dated 26.05.2026 passed by the learned Single Judge in WP.No.15663/2026 (GM-POLICE). The respondent had filed the said petition impugning an externment order dated 14.05.2026 passed by the Special Executive Magistrate, Superintendent of Police, Udupi.



3. The said externment order is based on a report submitted by the Police Sub Inspector, Kota Police Station, alleging that the respondent was of a criminal disposition and despite initiation of numerous legal actions, it had not been possible to control or stop his cricket betting activities. It is stated that three cases are registered against the respondent. He was convicted in one case, and investigations are pending in the other two cases.

4. The learned Single Judge had stayed the operation of the externment order on the ground that the respondent was not given sufficient time to avail the remedy of an appeal under Section 59 of the Karnataka Police Act, 1963 **[KPA]**. The court reasoned that since the respondent had a remedy of an appeal against the order of externment, the said order was not to be implemented until the respondent availed of the said remedy or the period of 30 days for availing such appellate remedy was exhausted.

5. Thus, according to the reasoning of the learned Single Judge, there is an automatic stay of all externment orders till the remedy of the appeal or the period of 30 days for preferring the appeal is exhausted. *Prima facie*, the language of Section 59 of



the KPA does not support this view. However, we note that the order has worked itself out as the operative part of the order was to stay the externment order till 20.12.2026 and, the said period has elapsed.

6. In view of the above, we do not consider it necessary to entertain the present appeal. The same is disposed of observing that the question of law as stated above is open and the impugned order would not be read as an authority for the proposition that all externment orders are required to be stayed till the period provided for preferring the appeal is exhausted or till the affected person files such an appeal.

7. Pending application stands disposed of.

**Sd/-
(VIBHU BAKHRU)
CHIEF JUSTICE**

**Sd/-
(K.S. HEMALEKHA)
JUDGE**

SD
List No.: 2 SI No.: 17