



CNR: KAHC010467762026

NC: 2026:KHC:52622
CRL.P No. 10065 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 10065 OF 2026

BETWEEN:

SRI PRAMODA @ KADU
S/O LATE MANJUNATHA
AGED ABOUT 27 YEARS
R/O, CHIKKEGOWDANADODDI
2ND CROSS, MANDYA CITY
MANDYA DISTRICT
(PRESENTLY IN JUDICIAL CUSTODY)

...PETITIONER

(BY SRI GOWRI SHANKER M, ADV.)

AND:

STATE OF KARNATAKA
BY MANDYA EAST POLICE STATION
MANDYA, REPRESENTED BY THE
LEARNED STATE PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA
BENGALURU - 560 001.

...RESPONDENT

(BY SRI RAHUL RAI K, HCGP)

THIS CRL.P I FILED U/S.439 (FILED U/S.483 BNSS) CR.P.C
PRAYING TO ENLARGE THE PETITIONER/ACCUSED NO.2 ON
REGULAR BAIL IN CR.NO.50/2024 IN S.C.NO.5/2025 PENDING ON
THE FILE OF THE II ADDL DISTRICT AND SESSIONS JUDGE, MANDYA
(ARISING OUT OF MANDYA EAST POLICE STATION) FOR THE
OFFENCE P/US/ 324,307,302,504, 34 OF IPC.

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



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CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

1. Accused No.2 in SC No.5 of 2025 pending before the Court of II Addl. District & Sessions Judge, Mandya arising out of Crime No.50/2024 registered by Mandya East Police Station, Mandya District for the offences punishable under Sections 324, 307, 302, 212, 504 R/w Section 34 of IPC is 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. Perusal of the material on record would go to show that, accused no.2 who was arrested in the present case on 12.04.2024, during the course of investigation, was granted regular bail by this Court in Criminal Petition No.5122/2025 disposed of on 03.07.2025. It appears that, after the petitioner was released from jail, he had not appeared before the Trial Court regularly on the dates of hearing and therefore, non-bailable warrant was issued against him and his presence was secured before the Trial Court on 22.11.2025 and on the said date he was remanded to judicial custody. His bail application



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filed thereafter before the Trial Court in S.C.No.5/2025 was rejected on 12.03.2026. It is under these circumstances, he is before this Court.

4. Material on record would go to show that, this Court had granted bail to the petitioner in the present in Criminal Petition No.5122/2025 which was disposed of on 03.07.2025. The petitioner, who was thereafter released from jail on 14.08.2025, had appeared before the Trial Court regularly on dates of hearing. For the reason that he was not present before the Court on 16.10.2025, non-bailable warrant was issued against him. The petitioner had thereafter voluntarily appeared before the Trial Court on 22.11.2025 and filed application seeking recall of non-bailable warrant issued against him. Learned Trial Judge having rejected said application has remanded the petitioner to custody and has thereafter, rejected his bail application. This approach of the Trial Court, in my considered opinion is harsh and cannot be justified. The petitioner, who had appeared on all dates of hearing after he was released from jail, had not appeared on 16.10.2025. On the said date the Trial Court has proceeded to issue non-



bailable warrant against him. After coming to know about the same, the petitioner had voluntarily appeared before the Trial Court and filed an application seeking recall of non-bailable warrant issued against him. Since the petitioner had appeared before the Trial Court immediately after NBW was issued against him, the Trial Court ought to have consider the said application liberally more so, having regard to the fact that after he was enlarged on bail by this Court, he was regularly appearing before the Trial Court except on two dates. Under the circumstances, the prayer made by the petitioner for grant of regular bail needs to be answered affirmatively. Accordingly, the following:

ORDER

- (i) Criminal petition is allowed.
- (ii) The petitioner is directed to be enlarged on bail in SC No.5 of 2025 pending before the Court of II Addl. District & Sessions Judge, Mandya arising out of Crime No.50/2024 registered by Mandya East Police Station, Mandya District for the offences punishable under Sections 324, 307, 302, 212, 504



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R/w Section 34 of IPC, 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) 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;

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