



CNR: KAHC010489252026

NC: 2026:KHC:44720
CRL.A No. 1228 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE S RACHAIAH

CRIMINAL APPEAL NO. 1228 OF 2026 (U/S 14(A) (2))

BETWEEN:

MR. PURUSHOTHAMA,
S/O. NARASIMHAIAH,
AGED ABOUT 35 YEARS,
R/AT NO.HOSURU,
MOTAGONDANAHALLI POST,
SOLURU HOBLI, MAGADI TALUK,
RAMANAGARA DISTRICT – 562 127.

...APPELLANT

(BY SRI. KUMARA K.G., ADVOCATE)

AND:

1. STATE OF KARNATAKA
TAVAREKERE POLICE,
BENGALURU SOUTH – 562 130.
REPRESENTED BY LEARNED
STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDING,
BENGALURU – 560 001.
2. SMT. YASHODHAMMA,
W/O. GANGADHAR,

Digitally
signed by
SUSHMA
LAKSHMI B
S
Location:
High Court
of Karnataka



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AGED ABOUT 28 YEARS,
R/AT. BAIRAPPANAPALYA VILLAGE,
MOTAGONDANAHALLI POST,
SOLUR HOBLI, NELAMANGALA TALUK,
BENGALURU DISTRICT – 562 127.

...RESPONDENTS

(BY SRI. M. V. ANOOPKUMAR., ADDL. SPP FOR R1;
R2 IS SERVED)

THIS CRL.A IS FILED U/S 14(A)(2) OF SC/ST (POA) ACT
BY THE ADVOCATE FOR THE APPELLANT NO.3 PRAYING TO
GRANT ANTICIPATORY BAIL AND SET ASIDE THE ORDER
DATED 09.07.2026, PASSED BY THE I ADDL. DISTRICT AND
SESSIONS JUDGE, AT RAMANAGARA IN
CRL.MISC.NO.473/2026, IN CR.NO.185/2026, REGISTERED BY
THE RESPONDENT - TAVAREKERE P.S., FOR THE OFFENCES
P/U/S 115(2), 74, 352, 3(5) OF BNS AND U/S 3(1)(r), 3(1)(s),
3(1)(w) OF SC/ST (POA) AMENDMENT ACT, 2015, PENDING
BEFORE THE I ADDL. DISTRICT AND SESSIONS COURT,
RAMANAGARA.

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

CORAM: HON'BLE MR. JUSTICE S RACHAIAH



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ORAL JUDGMENT

1. This appeal is filed by the appellant/accused No.3 seeking to set aside the order dated 09.07.2026 passed in Crl.Misc.No.473/2026, arising out of Cr.No.185/2026 of respondent police, on the file of the learned I Addl. District and Sessions Judge, Ramanagara, for the offences punishable under Sections 115(2), 74, 352, 3(5) of Bharatiya Nyaya Sanhita,2023 (for short,'BNS') and U/S 3(1)(r), 3(1)(s), 3(1)(w) of Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 (for short, SC/ST Act and seeking grant of anticipatory bail.

Factual matrix of the case:

2. It is the case of the prosecution that on 16.06.2026 at about 5.00 p.m., the complainant lodged a complaint stating that on 12.06.2026 at about 5.00 p.m., when the complainant and her husband-Gangadhar were in their house, accused Nos. 1 and 2 approached them stating that they had come from Magadi and their vehicle had run out of petrol. Hence, they requested both the complainant



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and her husband to provide some petrol. When the husband of the complainant refused to give the petrol, accused No.1 started scolding by naming the caste of the complainant and started assaulting the complainant and her husband. During the said quarrel, accused No.3 entered into the field and provoked accused Nos. 1 and 2 not only to assault the complainant and her husband but also threatened them with dire consequences. Immediately after the incident, the complainant took her husband to the hospital for treatment. After that, a complaint came to be registered against all the accused. Based on the said complaint, an FIR in Cr.No.185/2026 was registered against the accused. The matter is under investigation.

3. Heard Sri. Kumara K.G., learned counsel for the appellant and Sri. M.V.Anoopkumar, learned Addl. SPP for respondent No.1.



4. It is the submission of learned counsel for the appellant that the appellant is arrayed as accused No.3 and he is innocent of the alleged offences. Even on reading the averments of the complaint, there is no specific *overt-act* attributed to him regarding abusing the complainant by her caste. Even assuming that the appellant has involved in the said incident, all the offences are trivial in nature. Therefore, the appellant may be enlarged on bail by imposing suitable conditions. He would abide by the conditions to be imposed in the event his release on bail. Making such submissions, learned counsel for the appellant prays to allow the appeal.
5. *Per contra*, learned High Court Government Pleader vehemently submitted that on reading the averments of the complaint, a prima-facie case is made out against the appellant. Therefore, there is a bar under Section 18 of the Act to consider the grant of anticipatory bail. Therefore, it is not appropriate to grant anticipatory bail is the submission of learned High Court Government Pleader.



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6. Having heard learned counsel for the respective parties and also on perusal of the averments of the complaint, it appears from the record that accused Nos. 1 and 2 approached the complainant and asked for petrol, stating that their vehicle had run out of fuel on their way from Magadi. When the husband of the complainant refused, it is alleged that accused No. 1 started scolding and assaulting the complainant. In the meantime, the husband of the complainant intervened in the quarrel and was also beaten by the accused. The overt-act attributed to the appellant is that, upon entering in the quarrel, he instigated accused Nos. 1 and 2 to scold and assault the complainant. Further, the appellant also scolded the complainant and her husband.
7. Having gone through the averments of the complaint, I am of the considered opinion that, the appellant has made out a ground to grant the relief as prayed for in the appeal. Hence, I proceed to pass the following:



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ORDER

- i) The Criminal Appeal is *allowed*.
- ii) The impugned order dated 09.07.2026 passed in Crl.Misc.No.473/2026 on the file of the I learned Addl. District and Sessions Judge, Ramanagara, is set aside.
- iii) The appellant is ordered to be enlarged on bail in the event of his arrest in Crime No.185/2026 of respondent-police for the offence under Sections 115(2), 74, 352, 3(5) of BNS and U/S 3(1)(r), 3(1)(s), 3(1)(w) of SC/ST (POA) Amendment Act 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 jurisdictional police within a period of one month from the date of receipt of this order to execute personal bond and also to furnish surety.



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- c) The appellant shall co-operate with investigation till filing of the charge sheet.
- d) The appellant shall not threaten or tamper the prosecution witnesses nor hamper the proceedings of the Court.
- e) The appellant shall appear before the Trial Court on all hearing dates without fail.
- f) The appellant shall not indulge in any criminal activities till the disposal of the 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

JS/-
List No.: 1 Sl No.: 23