



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF JANUARY 2026

BEFORE

THE HON'BLE MR. JUSTICE MOHAMMAD NAWAZ

CRIMINAL PETITION NO.11012 OF 2025

BETWEEN:

SUDHAKAR @ SUDHA S/O. DHARMA RAJ,
AGED ABOUT 32 YEARS, R/A #215/B,
1ST MAIN, 6TH CROSS, PRAKASHNAGAR,
RAJAJINAGAR, BENGALURU-560064.
ALSO AT PALURU VILLAGE,
CHITURU DISTRICT, ANDRAPRADESH.

...PETITIONER

(BY SRI.SHRIDHAR FOR SRI.PRASHANTH K.S, ADVOCATES)

AND:

THE STATE OF KARNATAKA
SRIRAMPURA POLICE STATION,
REPRESENTED BY STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDING, BENGALURU-560001.

...RESPONDENT

(BY SRI.RAHUL RAI, HCGP)

THIS CRL.P IS FILED U/S.439 OF CR.P.C PRAYING TO GRANT BAIL TO THE PETITIONER IN S.C NO.348/2023 (CR.NO.209/2016) OF THE SRIRAMPURA POLICE STATION ON THE FILE OF THE LEARNED LXIII ADDL.CITY CIVIL AND SESSION JUDGE (CCH-64) BENGALURU CITY FOR THE OFFENCES PUNISHABLE UNDER SECTIONS 143, 147, 148, 363, 302 R/W. 34 OF IPC ON SUCH TERMS AND CONDITIONS AS THE HON'BLE COURT MAY THINK FIT TO IMPOSE, IN THE INTEREST OF JUSTICE.

THIS PETITION COMING ON FOR ORDERS THIS DAY, THROUGH VIDEO CONFERENCING HEARING AT DHARWAD BENCH, ORDER WAS MADE THEREIN AS UNDER:

CORAM:

HON'BLE MR. JUSTICE MOHAMMAD NAWAZ

VIJAYALAKSHMI
M KANKUPPI


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VIJAYALAKSHMI M
KANKUPPI

Date: 2026.02.03
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ORAL ORDER

1. The petitioner has preferred this petition to enlarge him on bail in S.C. No.348/2023 pending on the file of the Court of 63rd Additional City Civil and Sessions Judge (CCH 64), Bangalore City.

2. The charge sheet is filed for the offence punishable under Sections 364 and 302 read with Section 34 of the Indian Penal Code against accused Nos.1 to 4, showing accused No.3 as absconding. Petitioner is accused No.2.

3. The law was set into motion on a complaint lodged by one Ramesh C. against 5 to 6 unknown persons. The material on record reveals that the petitioner was initially granted bail by the learned Sessions Judge on 26.10.2018 in Criminal Miscellaneous No.8623/2018. However, after he was released on bail, he absconded and therefore warrant was issued against him. He was produced under warrant on 28.09.2022 and is in custody since then.



4. The learned counsel would submit that petitioner had earlier filed two petitions before this Court, which were dismissed and in the order dated 03.09.2024 passed in Criminal Petition No.999/2024, this Court directed the trial Court to expedite the trial. He submitted that there is no progress in trial and therefore, the petitioner who is languishing in judicial custody may be enlarged on bail. Further submitted that the petitioner is innocent and he has suffered injury to his leg and not able to move without the help of a walking stick and he needs assistance and the rod implanted in his leg has to be removed.

5. The Learned HCGP opposed the prayer for bail contending that already leniency was shown to the petitioner but he misused the liberty by absconding, due to which, the trial has delayed. He contended that if the petitioner is granted bail, once again, he will abscond and in that case there will be further delay in trial.



6. The petitioner has not furnished copy of the order passed in Criminal Petition No.999/2024 disposed on 03.09.2024. Further, it is seen that the petitioner had earlier preferred Criminal Petition No.3722/2023 to enlarge him on bail. The said petition was dismissed by this Court vide Order dated 12.06.2023. The dismissal of the said petition has not been mentioned anywhere in the petition and also not brought to the notice of the Court. While dismissing the said petition, this Court has taken into consideration the abscondance of the petitioner after he was granted bail and also his medical condition. The jail authority was directed to provide treatment to him whenever the need arises.

7. The Learned Sessions Judge has now rejected the bail petition vide Order dated 17.07.2025 taking note of the conduct of the petitioner and also the chances of absconding and tampering the prosecution witnesses. There are no grounds made out to enlarge the petitioner on bail at this stage. If the trial is not concluded within the next 6



months, the petitioner is at liberty to file a fresh petition for bail.

With the said observations, petition is dismissed.

SD/-
(MOHAMMAD NAWAZ)
JUDGE

kmv
CT:PA