



CNR: KAHC010496362026

NC: 2026:KHC:45285
CRL.P No. 10813 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 20TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 10813 OF 2026

BETWEEN:

RONY THOMAS
S/O THOMAS K.J
AGED ABOUT 36 YEARS
RESIDING AT NO.10 M C ROAD
KALENAHALLI K R PETE MANDYA
KARNATAKA - 57102.

...PETITIONER

(BY SRI SIJI MALAYIL, ADV.)

AND:

THE STATE OF KARNATAKA
K R SAGARA POLICE STATION, MANDYA
REPRESENTED BY THE STATE PUBLIC
PROSECUTOR, HIGH COURT BUILDING
BANGALORE - 560 001.

...RESPONDENT

(BY SRI VINAY MAHADEVAIAH, HCGP)

THIS CRL.P IS FILED U/S 438 CR.P.C (U/S 482 BNSS)
PRAYING TO GRANT AN ORDER OF ANTICIPATORY BAIL AND DIRECT
RESPONDENT POLICE i.e. K.R.SAGARA P.S., TO RELEASE THE
PETITIONER ON BAIL IN THE EVENT OF HIS ARREST ARISING OUT
OF CR.NO.58/2026 AGAINST THE PETITIONER, FOR THE OFFENCE
P/U/S 105 OF BNS, 2023, PENDING BEFORE THE PRL. CIVIL JUDGE
(JR.DN) AND JMFC COURT, S.R.PATNA, MANDYA DISTRICT.

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. Petitioner, who is apprehending arrest in Crime No.58/2026 registered by K. R. Sagar Police Station, Mandya, for the offence punishable under Section 105 of BNS, 2023, is before this Court in this petition filed under Section 482 of BNSS, 2023, seeking anticipatory bail.
2. Heard the learned counsel for the parties.
3. FIR in Crime No.58/2026 was registered by K. R. Sagar Police Station, Mandya, for the aforesaid offence against petitioner and others based on first information dated 13.04.2026 received from Poulsan E. Thomas, brother of deceased Daniel E. Thomas. Apprehending arrest in the case, petitioner had filed Crl.Misc.No.5189/2026 before the jurisdictional Sessions Court which was rejected on 25.06.2026. Therefore, he is before this Court.
4. Material made available to the Court would reveal that petitioner is a Rector of Mother Theresa Minor Seminary, Mandya. It appears that he and his staff had arranged for a



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summer camp and the students, who had enrolled for the said camp had visited Balmuri Waterfalls and St. Philomena Church on 12.04.2026 along with the petitioner and other staff of Mother Theresa Minor Seminary, Mandya. Deceased Daniel E. Thomas, who was a participant of the summer camp appears to have accidentally drowned in Balmuri Waterfalls and died. It is under these circumstances, FIR was registered against the petitioner and others, who had organized the tour and had taken the children to Balumuri Falls, allegedly without the consent of the parents.

5. The case file provided by learned HCGP would go to show that as many as 15 staff were involved in organizing the tour in which 31 children had participated. The statement of the witness, who were members of the camp would go to show that petitioner had warned the children not to go near the water falls. It is trite that a person cannot be vicariously held liable for the negligence of another. Petitioner has undertaken to cooperate with the police for the purpose of investigation. Considering the nature of averments found in the first information and the statement of the witnesses recorded during



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the course of investigation, I am of the opinion that the prayer made by the petitioner for grant of anticipatory bail, needs to be answered affirmatively. Accordingly, the following order:-

6. The petition is allowed. The respondent - Police or any other police in the State of Karnataka are directed to release the petitioner in the event of his arrest in Crime No.58/2026 registered by K. R. Sagar Police Station, Mandya, for the offence punishable under Section 105 of BNS, 2023, subject to the following conditions:

1. The Petitioner shall appear before the Investigating Officer within 15 days from the date of receipt of the copy of this order and shall execute a personal bond for a sum of Rs.1,00,000/- with two sureties for the likesum to the satisfaction of the investigating officer.
2. Petitioner shall regularly appear before the Trial Court without fail unless exempted by the Trial Court for valid reasons.
3. Petitioner shall not tamper with the prosecution witnesses and he shall co-operate with



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the police for investigation and appear before them
whenever called upon.

4. The petitioner shall not involve in similar
offences in future.

**Sd/-
(S VISHWAJITH SHETTY)
JUDGE**

DN
List No.: 1 SI No.: 84