



CNR: KAHC010497232026

NC: 2026:KHC:47387
CRL.P No. 10788 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 1ST DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.NAGAPRASANNA

CRIMINAL PETITION NO. 10788 OF 2026

BETWEEN:

MR. AJITH R
S/O RADHA KRISHNA,
AGED ABOUT 23 YEARS,
R/AT 6NE KALLU, INDRAPURA,
AGILE POST, ALUR, HASSAN DISTRICT,
KARNATAKA - 573 128.

...PETITIONER

(BY SRI. ASHWIN JOYSTON KUTINHA, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
THROUGH BHADRAVATHI RURAL
POLICE STATION, SHIVAMOGGA
REPRESENTED BY THE STATE PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA,
BANGALORE - 560 001.

2. MRS. MAMATHA BAYI,
W/O MR. AJITH R,
D/O GANESHA NAIKA,
AGED ABOUT 20 YEARS,
R/AT SIRIYURU CAMP, SIRIYUR,
BHADRAVATHI, SHIVAMOGGA - 577 229.

...RESPONDENTS

(BY SRI. K. NAGESHWARAPPA, HCGP FOR R1;
SRI. SANDEEP SUBHAS SAMGUR, ADVOCATE FOR R2)

Digitally
signed by
CHETAN B C
Location:
High Court
of Karnataka



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THIS CRL.P IS FILED U/S 482 OF CR.PC (FILED U/S 528 BNNS) PRAYING TO QUASH THE ENTIRE PROCEEDINGS AGAINST THE PETITIONER IN SPL.C NO.273/2023 PENDING ON THE FILE OF THE HONBLE ADDL.DISTRICT AND SESSIONS JUDGE FTSC-II (POCSO) SHIVAMOGGA FOR THE OFFENCES P/U/S 366, 344, 376(2)(n) OF IPC SECTION 6 OF POCSO AND SECTION 9 OF THE PROHIBITION OF CHILD MARRIAGE ACT ARISING OUT OF CRIME NO.124/2023 OF THE BHADRAVATHI RURAL POLICE STATION, SHIVAMOGGA.

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

CORAM: **HON'BLE MR. JUSTICE M.NAGAPRASANNA**

ORAL ORDER

The petitioner, sole accused stands at the doors of this Court calling in question the proceedings in Special Case No.273/2023 registered for offences punishable under Sections 366, 344, 376(2)(n) of the Indian Penal Code, 1860 ('the IPC' for short), Section 6 of the Protection of Children from Sexual Offences Act (POCSO), 2012 and Section 9 of the Prohibition of Child Marriage Act, 2006.

2. Heard Sri. Ashwin Joyston Kutinha, learned counsel appearing for the petitioner; Sri. K. Nageshwarappa, learned High Court Government Pleader appearing for respondent No.1



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and Sri. Sandeep Subhas Sangur, learned counsel appearing for respondent No.2.

3. This Court, owing to the submission of the learned counsel appearing for the petitioner that he is ready and willing to get married to the victim had passed the following order on 05.08.2026:

"The petitioner is before the Court seeking the following prayers:

"WHEREFORE, the petitioners respectfully prays that the Hon'ble Court may be pleased to quash the entire proceedings against the Petitioner in Spl.C. 273/2023 pending on the file of the Hon'ble Addl. District & Sessions Judge, FTSC-II (POCSO), Shivamogga for the offences punishable u/s 366, 344, 376(2)(n) of IPC, section 6 of POCSO and section 9 of Prohibition of Child Marriage Act arising out of Crime No.124/2023 of the Bhadravathi Rural Police Station, Shivamogga and grant such other and further reliefs as this Hon'ble Court deems fit and proper under the facts and circumstances of the case in the interest of justice."

The petitioner is accused No.1 who is alleged of offence punishable under the provisions of POCSO Act-Section 6. The petitioner is now ready and willing to marry the victim, but is in prison. Therefore, only on the score that the petitioner is wanting to marry the victim, I deem it appropriate to grant the petitioner interim bail for the purpose of the said marriage.



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It is made clear, in the event, he would breach the undertaking of marriage that he has now indicated, the petitioner would be back to the prison as the offences are heinous and therefore, the Registry is directed to communicate this order to the prison authorities to enable release of the petitioner to marry the victim and produce the certificate of registration of said marriage before this Court on the next date.

List the matter on **25.08.2026** in the **fresh matters list.** "

The petitioner, who was in prison at that point in time was directed to be released for the purpose of marriage and further directed that the petitioner shall produce the marriage certificate before this Court.

4. The learned counsel appearing for the petitioner submits that the petitioner is now married to the complainant and the certificate of marriage is also placed before the Court. The certificate of marriage indicates that the petitioner and the complainant/victim are married on 18.08.2026.

5. In the light of the marriage between the two, I deem it appropriate to obliterate the proceedings against the petitioner with a rider that in the event, the petitioner in future would leave the complainant/victim in lurch, the proceedings



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under the POCSO, which is now quashed on account of marriage would get automatically revived.

6. With the aforesaid observation, the petition stands ***disposed.***

Ordered accordingly.

**Sd/-
(M.NAGAPRASANNA)
JUDGE**

JY
List No.: 1 Sl No.: 26