



CNR: KAHC010509812026

NC: 2026:KHC:51022
CRL.P No. 11113 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 16TH DAY OF SEPTEMBER, 2026
BEFORE
THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY
CRIMINAL PETITION NO. 11113 OF 2026

BETWEEN:

SRI PRAKASH POOJAR @ PRAKASH
S/O PUTTAPPA
AGED ABOUT 32 YEARS
R/AT JANGINAKOPPA VILLAGE
SHIRAGODU HANAGAL TALUK
HAVERI DISTRICT - 581 104.

...PETITIONER

(BY SRI SUNIL KUMAR B.N, ADV.)

AND:

1. THE STATE OF KARNATAKA BY
SAGAR RURAL POLICE STATION
SHIVAMOGGA - 577 401
REP. BY S.P.P, HIGH COURT
BUILDING COMPLEX, AMBEDKAR VEEDHI
BENGALURU - 560 001.
2. SMT. JYOTHI
W/O. SHIVAPRAKASH
AGED ABOUT 35 YEARS
R/AT KERODI VILLAGE
M.L. HALLI POST, SAGARA TALUK
SHIVAMOGGA - 577 041.

...RESPONDENTS

(BY SRI CHANNAPPA ERAPPA, HCGP FOR R-1;
SRI NAGABHUSHAN R, ADV., FOR R-2)

THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483 BNSS)
PRAYING TO GRANT THE REGULAR BAIL TO THE PETITIONER,
PENDING ON THE FILE OF THE ADDL. DISTRICT AND SESSIONS
JUDGE, FTSC-1, (POCSO) AT SHIVAMOGGA, IN SPL. C. NO. 27/2026,
REGD BY SAGAR RURAL POLICE STATION FOR THE ALLEGED
OFFENCES PUNISHABLE UNDER 96, 351(2), 65(1),

Digitally
signed by
NANDINI M S
Location:
HIGH COURT
OF
KARNATAKA



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64(2)(m).332(a)AND 332(b) OF THE B.N.S. 2023 AND 6 AND 17 OF THE POCSO ACT.

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

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

1. Accused No.1 in Special Case No.27/2026 pending before the Court of Additional District and Sessions Judge FTSC-1 (POCSO) Shivamogga, arising out of Crime No.214/2025 registered by Sagar Rural Police Station, Shivamogga, for the offences punishable under Sections 96, 351(2), 65(1), 64(2)(m) and 332(a) of BNS, 2023 and Sections 6 and 17 of the POCSO Act, 2012, 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. FIR in Crime No.214/2025 was registered by Sagar Rural Police Station, Shivamogga, against the petitioner herein based on the first information dated 21.11.2025 received from the victim girl, aged about 16 years. During the course of investigation of the said case, petitioner was arrested on



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21.11.2025 and remanded to judicial custody. After completing investigation, charge sheet is filed against him for the aforesaid offences. His bail application filed before the Trial Court in Spl.C.No.27/2026 was rejected on 23.04.2026. Therefore, he is before this Court.

4. Learned counsel for the petitioner submits that petitioner and the victim girl are in love and parents of both the parties have decided to perform their marriage after the girl attains the age of majority. Petitioner is a driver in KSRTC and he has no other criminal antecedents.

5. Per contra, learned HCGP, who has opposed the petition, submits that victim girl is a minor and therefore, the alleged offences gets attracted against the petitioner.

6. Learned counsel for respondent No.2 has not disputed the submission made by learned counsel for the petitioner. He submits that mother of the victim girl is present in-person before the Court and she has instructed him to submit that marriage of the petitioner and the victim girl will be performed after the victim girl attains the age of majority.



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7. FIR in the present case was registered against the petitioner based on the first information received from the victim girl, after she was admitted in the Hospital, since she had missed her periods and was suffering from stomach pain. Victim girl has stated in her first information that she got acquainted to the petitioner, who is the driver of the bus and thereafter, they started loving each other. She has stated that petitioner had taken her to a lodge in the month of April 2025 and they had sex in a room in the said lodge. Thereafter, multiple times, she has gone with the petitioner to the said lodge and had sex with him. Since she had missed her periods, she had consumed Pineapple and Papaya fruits and as a result, she suffered stomach pain and therefore, she had gone to the Hospital.

8. Records would reveal that, subsequently pregnancy of the victim girl was aborted when she was in the Hospital. Petitioner, who has no other criminal antecedents is in custody ever since the date of his arrest. Investigation of the case is completed and charge sheet is filed. Petitioner is working as



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driver in KSRTC. Parents of both the parties have decided to perform the marriage of the petitioner and the victim girl, after the victim girl attains the age of majority. Mother of the victim girl, who is present in-person before the Court has submitted that she has no objection to grant bail to the petitioner. Considering the aforesaid aspects of the matter, the following order:-

9. The petition is allowed. The petitioner is directed to be enlarged on bail in Special Case No.27/2026 pending before the Court of Additional District and Sessions Judge FTSC-1 (POCSO) Shivamogga, arising out of Crime No.214/2025 registered by Sagar Rural Police Station, Shivamogga, for the offences punishable under Sections 96, 351(2), 65(1), 64(2)(m) and 332(a) of BNS, 2023 and Sections 6 and 17 of the POCSO Act, 2012, subject to the following conditions:

- a) Petitioner shall execute a personal bond for a sum of Rs.1,00,000/- with two sureties for the likesum, to the satisfaction of the jurisdictional Court;



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- 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

DN
List No.: 1 Sl No.: 40