



CNR: KAHC010515792026

NC: 2026:KHC:53990
CRL.P No. 11345 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 11345 OF 2026 (439(Cr.PC) /
483(BNSS))

BETWEEN:

SHAKIB @ SHABBU
S/O. LATE SULAIMAN,
AGED ABOUT 33 YEARS,
R/AT D. NO. 2-T-184,
G FATHIMA HOUSE, NEAR EDGA,
2ND BLOCK, KATIPALLA,
MANGALORE TALUK – 575 030.

...PETITIONER

(BY MS. DEEPTHI SHETTY FOR
SRI. DHANANJAY KUMAR., ADVOCATE)

AND:

1. STATE OF KARNATAKA
BY SURATHKAL POLICE STATION.
REPRESENTED BY SPP,
HIGH COURT OF KARNATAKA,
BANGALORE-560 001.
2. ABDUL REHAMAN SINAN,
AGED ABOUT 24 YEARS,
S/O MUHAMMED SHARIF,
R/AT SHARIF MANZIL,
NEAR SALAFI MOSQUE,
2ND BLOCK, KATIPALLA VILLAGE,
MANGALORE – 575 030.

...RESPONDENTS

(BY SRI. RAHUL RAI, HCGP FOR R1,

Digitally signed
by NANDINI M
S



Location: HIGH
COURT OF
KARNATAKA



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NOTICE TO R2 IS D/W V/C/O DTD:31.07.2026)

THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483 BNNS) PRAYING TO ALLOW THIS PETITION AND RELEASE THE PETITIONER ON BAIL IN CC NO.330/2023 IN CRIME NO.20/2021 REGISTERED BY THE SURATHKAL POLICE STATION ON THE FILE OF THE JMFC - II COURT, MANGALORE D.K. FOR THE OFFENCES P/U/S 504, 326, 307, 506, 120B AND 212 R/W 34 OF IPC.

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

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

Accused No.2 in S.C.No.79/2026 pending before the court of II Addl. District and Sessions Judge, Dakshina Kannada, Mangaluru, arising out of Crime No.20/2021 registered by Surathkal Police Station, Mangaluru, for the offences punishable under Sections 504, 326, 307, 506, 120(B) and 212 read with Section 34 of IPC, 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. Perusal of the material on record would go to show that the petitioner was arrayed as accused No.2 in



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Crime No.20/2021 registered by Surathkal police station, Dakshina Kannada, Mangaluru was arrested in the said case at crime stage on 18.2.2021 and was remanded to judicial custody. After completion of investigation, charge sheet was filed as against 10 persons. Thereafter, petitioner was granted regular bail by the jurisdictional Sessions Court, Dakshina Kannada, Mangaluru in Crl.Misc.No.783/2021 vide order dated 09.09.2021. It appears that subsequently, petitioner had not appeared before the Trial court in S.C.No.48/2023 and therefore, split up case was registered against the petitioner in S.C.No.79/2026 and coercive steps were taken against him in the said case. The petitioner's presence was secured before the trial Court in S.C.No.79/2026 on 19.03.2026 and on the said date, he was remanded to judicial custody. His bail application filed before the Trial Court in S.C.No.79/2026 was rejected on 27.06.2026, therefore he is before this court.



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4. Learned counsel for the petitioner has brought to the notice of this court that after the petitioner was enlarged on bail in Crime No.20/2021 vide order passed in Crl.Misc.No.783/2021 dated 09.09.2021, he was regularly appearing before the Trial Court in S.C.No.48/2023, since he was subsequently arrested in another case, registered by the very same police station in Crime No.70/2023, petitioner could not appear before the Trial Court in the present case and therefore, split up case was registered against him.

5. Learned HCGP who has opposed the petition, submits that the petitioner is a person with criminal antecedents and in the event he is enlarged on bail, it would be difficult to secure his presence and chances of he indulging in committing similar offences also cannot be ruled out.

6. Be that as it may, fact remains that on merits of the present case, after the charge sheet was filed,



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petitioner was granted regular bail by the jurisdictional Sessions Court in Crl.Misc.No.783/2021 on 09.09.2021. Subsequently, the case was committed to the jurisdictional Sessions Court and numbered in S.C.No.48/2023. Petitioner was appearing before the trial court in S.CNo.48/2023, till he was arrested by the Surathkal police station, in Crime No.70/2023 registered for the offences punishable under NDPS Act. It is under these circumstances, split up case was registered against the petitioner and he has been now arrested in the present case and remanded to judicial custody.

7. Learned counsel for the petitioner has submitted that petitioner shall cooperate before the Trial Court for speedy disposal of the case and also abide by any conditions that may be imposed by this court. The petitioner who was granted regular bail in this case, is now in custody for the last 6 months only for the reason that he remained absent on the regular dates of hearing before the



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Trial Court. For the mistake committed by him, he has been sufficiently punished.

8. Under the circumstances, I am of the opinion that prayer made by the petitioner for grant of regular bail needs to be answered affirmatively. Accordingly, the following:

ORDER

The Criminal Petition is ***allowed***. The petitioner is directed to be enlarged on bail in S.C.No.79/2026 pending before the court of II Addl. District and Sessions Judge, Dakshina Kannada, Mangaluru, arising out of Crime No.20/2021 registered by Surathkal Police Station, Mangalore, for the offences punishable under Sections 504, 326, 307, 506, 120(B) and 212 read with Section 34 of IPC, subject to the following conditions:

- a) The petitioner shall execute a personal bond for a sum of Rs.1,00,000/- (Rupees One



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Lakh only) with two sureties, out of which, one shall be local surety, for the likesum, to the satisfaction of the jurisdictional Court;

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.



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f) The petitioner is directed to appear before the Station House Officer, of Surathkal Police Station, Mangaluru, on every second Sunday and fourth Sunday of every month between 10.00 a.m. and 01.00 p.m. and mark his attendance, till disposal of the case registered against him before the Trial Court.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

AKV
List No.: 1 Sl No.: 51