



CNR: KAHC010519802026

NC: 2026:KHC:47498
CRL.P No. 11351 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 1ST DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 11351 OF 2026

BETWEEN:

NAGARAJA
S/O GIDDAPPA
AGED ABOUT 48 YEARS
R/O. SANTHEBENNUR VILLAGE
CHANNAGIRI TALUK
DAVANAGERE DISTRICT - 577 213.

...PETITIONER

(BY SRI S.G. RAJENDRA REDDY, ADV.)

AND:

STATE BY SANTHEBENNUR
POLICE STATION
CHANNAGIRI TALUK
DAVANAGERE DISTRICT - 577 017
REPTD. BY S.P.P., HIGH COURT
BENGALURU - 560 001.

...RESPONDENT

(BY SRI VINAY MAHADEVAIAH, HCGP)

THIS CRL.P IS FILED U/S 439 CR.P.C (U/S 483 BNSS)
PRAYING TO ENLARGE THE PETITIONER ON BAIL IN SC.NO.179/2023
ARISING OUT OF CR.NO.159/2023 REGISTERED BY SATHEBENNUR
P.S., PENDING BEFORE THE II ADDL. DISTRICT AND SESSIONS
JUDGE, DAVANAGERE DISTRICT, FOR THE OFFENCES P/U/S 302 AND
498(A) OF IPC.

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

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



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CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

1. Accused in S.C.No.179 of 2023 pending before the Court of II Addl. District and Sessions Judge, Davanagere, arising out of Crime No.159 of 2023 registered by Santebennur Police Station, Davanagere District, for offences punishable under Sections 302 and 498A 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. FIR in Crime No.159 of 203 was registered Santebennur Police Station, Davanagere District initially for offence punishable under Section 302 of IPC, against the petitioner, based on the first information dated 18.08.2023, received from Sri Madhu, son of the petitioner and deceased Smt. Sulochanamma. During the course of investigation of the said case, petitioner was arrested on 18.08.2023 and remanded to judicial custody. Charge sheet is filed against him for the aforesaid offences. Bail application filed by the petitioner before



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the Trial Court in S.C.No.179 of 2023, was rejected on 30.04.2026. Therefore, he is before this Court.

4. The petitioner is the husband of deceased Smt. Sulochanamma and from their wedlock, they have three children. Petitioner allegedly was addicted to alcohol and he was frequently demanding money from his wife Sulochanamma for consuming alcohol. For the purpose of performing marriage of their daughter, Sulochanamma has incurred debt and therefore, she used to refuse to pay money to the petitioner. Subsequently, Sulochanamma went to the house of her niece - CW.8 and was residing there. Petitioner therefore developed ill-will against his wife Sulochanamma. On 18.08.2023, Sulochanamma had returned to her house and on the same day, petitioner had quarrelled with her in the presence of his children CW1 and CW4. Subsequently, when the petitioner and his wife Sulochanamma were in the house, petitioner allegedly quarrelled with his wife for the reason that she was not providing him money to consume alcohol and thereafter, committed her murder by assaulting her with a machete.



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5. The entire case of the prosecution is based on circumstantial evidence. Petitioner aged 48 years is in custody for the last more than 3 years. Since the material charge sheet witnesses are already examined, there cannot be any apprehension that the petitioner may tamper with the said witnesses. Out of the 25 charge sheet witnesses cited in the present case, as on this date only 8 charge sheet witnesses are examined as PWs.1 to 8. Therefore, the chances of trial being completed and case being disposed of on merits in the near future is very remote.

6. Considering the aforesaid aspects of the matter, the prayer made by the petitioner for grant of regular bail needs to be answered affirmatively. Accordingly, the following:

ORDER

- (i) Criminal petition is allowed.
- (ii) The petitioner is directed to be enlarged on bail in S.C.No.179 of 2023 pending before the Court of II Addl. District and Sessions Judge, Davanagere, arising out of Crime No.159 of 2023 registered by Santebennur Police Station, Davanagere District,



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for offence punishable under Sections 302 and 498A 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 Lakh only) with two sureties 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.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE