



CNR: KAHC010523242026

NC: 2026:KHC:47847
CRL.A No. 1293 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 2ND DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S RACHAIAH

CRIMINAL APPEAL NO. 1293 OF 2026 (U/S 14(A) (2))

BETWEEN:

RAMESH G. V,
S/O G. V. VENKATARAMA REDDY,
AGED ABOUT 54 YEARS,
R/AT GHATTAHALLI,
HOLUR HOBLI, KOLAR TALUK,
KOLAR DIST. - 563 126.

...APPELLANT

(BY SRI. Y. R. SADASIVA REDDY., SR. ADVOCATE FOR
SRI. RAHUL S. REDDY., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA BY
KOLAR DCRE RURAL POLICE STATION,
REP. BY SPP,
HIGH COURT OF KARNATAKA,
BENGALURU - 560 001.
2. KUM. NIHARIKA,
D/O NARAYANASWAMY,
AGED ABOUT 14 YEARS,
R/AT GHATTAHALLI,
HOLUR HOBLI, KOLAR TALUK,

Digitally
signed by
SUSHMA
LAKSHMI
B.S.
Location:
High
Court of
Karnataka



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...RESPONDENTS

(BY SRI. S. JAVEED., HCGP FOR R1;
R2 IS SERVED)

THIS CRL.A IS FILED U/S 14(A)(2) OF SC/ST (POA) ACT, 2015 BY THE ADVOCATE FOR THE APPELLANT/S PRAYING TO SET ASIDE THE ORDER DATED 21/07/2026, IN CRL.MISC.NO.573/2026, PASSED BY THE ADDITIONAL DISTRICT AND SESSIONS JUDGE, FTSC-I (POCSO) AT KOLAR, AND ALLOW THE SAME BY DIRECTING THE 1ST RESPONDENT, POLICE TO RELEASE THE APPELLANT ON BAIL IN THE EVENT OF THEIR ARREST IN CRIME.NO.21/2026, FOR THE OFFENCES PUNISHABLE UNDER SECTION 115(2), 127 (2), 137(2), 352 OF THE BHARATIYA NYAYA SANHITHA 2023 AND UNDER SECTION 12 OF PROTECTION OF CHILDREN FROM SEXUAL OFFENCES ACT 2012 AND SECTION 3(1)(r), 3(1)(s) OF THE SC/ST PREVENTION OF ATROCITIES AMENDMENT ACT 2015.

THIS APPEAL, COMING ON FOR ADMISSION, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE S RACHAIAH



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ORAL JUDGMENT

The appellant is before this Court seeking anticipatory bail in Cr.No.21/2026 filed by the respondent-Police for the offence punishable under Sections 115(2), 127(2), 137(2) and 352 of the Bharatiya Nyaya Sanhita, 2023, Section 12 of the Protection of Children from Sexual Offences Act, 2012 and Sections 3(1)(r), 3(1)(s) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989.

2. The appellant had approached the Trial Court and filed an application for anticipatory bail, the same has been rejected vide its order dated 21.07.2026 passed in Crl.Misc.No.573/2026 on the file of the Additional District and Sessions Judge, FTSC-I (POCSO), Kolar.

3. The case of the prosecution is that on 21.06.2026, at about 05.30 pm, the complainant-Smt.V.Bharathi, PSI of Traffic Police Station, Kolar had submitted the statement of the victim, who was taken treatment at SNR hospital. The statement of the victim would disclose that she was studying in VIII Standard at Holuru. Her mother had gone to her parents



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house by taking her brother 15 days ago. At that time, herself and her father were staying at home.

4. On 20.06.2026, at about 08.30 pm, when she was sitting in front of her house along with her friend who is her neighbor and chatting with each other by seeing mobile. At that time, the appellant came near the house on his two-wheeler vehicle. He allegedly slapped her on her cheeks and also fisted on her face and questioned how she dared to refuse his proposal. He further abused her by making derogatory reference to her caste. Thereafter, she was allegedly kidnapped and confined in a dark room till her parents and relatives traced her. After being rescued, she was taken to the hospital for treatment. Based on the said statement, the respondent-Police have registered a case, the investigation is under progress.

5. Learned Senior Counsel Sri.Y.R.Sadashiva Reddy appearing for the learned counsel Sri.Rahul S. Reddy for the appellant submitted that the alleged incident had not occurred on account that she belongs to scheduled caste. In fact, no such incident had occurred in front of the house of the victim.



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6. It is further submitted that due to enmity existed between the appellant and the family of the victim, a false case has been registered against him and the appellant is having apprehension of his arrest in connection with the said crime number. Therefore, he may be enlarged on bail by imposing suitable conditions. He will abide by the conditions to be imposed in the event he is released on bail. Making such submissions, learned Senior Counsel for the appellant prays to allow the appeal.

7. *Per contra*, learned High Court Government Pleader for respondent No.1-State submitted that the averments in the complaint *prima facie* disclose ingredients attracting the provisions of SC/ST (POA) Act. Therefore, the anticipatory bail is not maintainable. Making such submissions, learned High Court Government Pleader for State prays to dismiss the appeal.

8. Having heard the learned counsel for the respective parties and on perusal of the averments of the complaint, the appellant allegedly uttered a word relating to the caste,



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however, such words are usually uttered by flow. It seems that he had no intention to hurl such words to the victim. Even assuming that the appellant had uttered the words relating to the caste is true, he has not specifically mentioned the caste of the victim. Therefore, it is appropriate to grant bail without advertng to the merits of the case.

9. Hence, I proceed to pass the following:

ORDER

- i) The appeal is ***allowed***.
- ii) The order dated 21.07.2026 passed in Crl.Misc.No.573/2026 by the learned Additional District and Sessions Judge, FTSC-I (POCSO), Kolar is set aside.
- iii) The appellant/accused is ordered to be enlarged on bail in Crime No.21/2026 of respondent - Police, on executing a personal bond for a sum of Rs.1,00,000/- (Rupees One Lakh Only) with one surety for the likesum to the satisfaction of the



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Investigating Officer, subject to the following conditions:

- a) The appellant shall not threaten or tamper the prosecution witnesses.
- b) The appellant shall appear before the Trial Court on all hearing dates.

Sd/-
(S RACHAIAH)
JUDGE

NR/-
List No.: 1 SI No.: 32