



CNR: KAHC010528762026

NC: 2026:KHC:47049
CRL.A No. 1308 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 31ST DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE S RACHAIAH

CRIMINAL APPEAL NO.1308 OF 2026 (U/S 14(A) (2))

BETWEEN:

1. PAVAN KUMAR R,
S/O LATE RAMMURTHY,
AGED ABOUT 26 YEARS,
R/AT NO.87/6, KODIPALYA
ROAD, KENGERI,
BENGALURU - 560 060.

...APPELLANT

(BY SRI. BHARATH B. YADAV., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
BY SHO, KENGERI P.S,
BENGALURU CITY,
REPRESENTED BY ITS
STATE PUBLIC PROSECUTOR,
HIGH COURT COMPLEX,
BENGALURU - 560 001.
2. MONISHA. S,
D/O SHAMU,
AGED ABOUT 20 YEARS,

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



CNR: KAHC010528762026

NC: 2026:KHC:47049
CRL.A No. 1308 of 2026

R/AT NO.88, 3RD CROSS,
MARUTHINAGAR, SONNEHALLI,
BENGALURU - 560 060.

...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 BY THE ADVOCATE FOR THE APPELLANT PRAYING TO SET ASIDE THE ORDERS PASSED BY THE LEARNED LXX ADDL. CITY CIVIL AND SESSIONS JUDGE AND SPECIAL JUDGE AT BENGALURU (CCH-71), IN CRL.MISC.NO.5195/2026, DATED 27.06.2026, AND CONSEQUENTLY GRANT REGULAR BAIL TO THE APPELLANT IN CR.NO.230/2026, REGISTERED BY THE RESPONDENT IN KENGERI P.S., FOR THE OFFENCES P/U/S 64, 115(2), 308(2), 351(2) OF BNS, 2023, U/S 66(E) AND 67 OF INFORMATION TECHNOLOGY ACT AND U/S 3(1)(r), 3(1)(s), 3(2)(v) OF SC/ST (POA) ACT.

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

CORAM: HON'BLE MR. JUSTICE S RACHAIAH



CNR: KAHC010528762026

NC: 2026:KHC:47049
CRL.A No. 1308 of 2026

ORAL JUDGMENT

1. The appellant is before this Court seeking regular bail in Crime No.230/2026 registered by the respondent – Police for the offences under Sections 64, 115(2), 308(2), 351(2) of the Bharatiya Nyaya Sanhita, 2023, under Sections 66E and 67 of the Information Technology Act and under Sections 3(1)(r), 3(1)(s), 3(2)(v) of the Scheduled Castes/Scheduled Tribes (Prevention of Atrocities) Act (for short, 'SC & ST (POA) Act').

Factual matrix of the case:

2. The case of the prosecution is that the complainant belongs to Adi Dravida community. She got acquainted with the appellant. On 15.02.2025, the complainant went to his house and she was offered cold drinks. After drinking the said cold drinks, it is stated that she became unconscious. At that time, the appellant taking advantage of the said unconsciousness, committed sexual intercourse and also took some photos and videos. Thereafter, she was threatened that the said photos



CNR: KAHC010528762026

would be uploaded in the social media and also threatened that she would be killed if it is disclosed to anybody. After the said incident, when the complainant demanded him to marry her, he refused to marry her stating that she belongs to scheduled caste and it would be a sin for him if he marries her. Therefore, a complaint came to be registered against him. The respondent - Police have registered the case, conducted investigation and submitted the charge sheet.

3. Heard Sri Bharath B. Yadav, learned counsel for the appellant and Sri S Javeed, learned High Court Government Pleader for respondent No.1. Respondent No.2 is served and present before the Court.
4. The submission of learned counsel for the appellant is that the appellant and the victim have entered into a compromise. In fact, the victim had a talk with the appellant and she intends to marry him. Since he is in judicial custody, the marriage could not be performed. Therefore, he may be enlarged on bail by imposing



CNR: KAHC010528762026

suitable conditions. He would abide by the conditions in case of his release on bail. Making such submissions, learned counsel for the appellant prays to allow the appeal.

5. Per contra, learned High Court Government Pleader for the respondent – State vehemently submitted that the ingredients of the provisions under the SC & ST (POA) Act squarely get attracted to the averments of the complaint. Merely because the appellant is willing to marry her, that is not the ground to grant the relief as prayed for. Hence, the same may be rejected. Making such submissions, learned High Court Government Pleader for respondent No.1 prays to reject the appeal.
6. Similarly, the respondent No.2, being the complainant, is present before this Court and submitted that she had contacted the appellant by visiting the jail and had a talk with him. Both were willing to marry each other. Hence, she requested to grant the relief as prayed for in the appeal.



CNR: KAHC010528762026

7. Having considered the submissions and also the averments of the complaint, it appears that the appellant and the victim might have arrived into a misunderstanding in respect of the marriage and the marriage might have been denied for various reasons. It appears from the record that the victim, taking advantage of both her caste and also other circumstances, coerced him for the marriage.
8. Be that as it may, if the parties are willing to settle the issues amicably, it is appropriate to give quietus to the said dispute. Having regard to the said facts and circumstances of the case, it is appropriate to grant the relief as prayed for.
9. Hence, I proceed to pass the following:-

ORDER

- i) The Criminal Appeal is *allowed*.
- ii) The impugned order passed by the learned LXX Additional City Civil and Sessions and Special Judge,



CNR: KAHC010528762026

Bengaluru (CCH-71) in Crl.Misc.No.5195/2026 dated 27.06.2026, is set aside.

iii) The appellant is directed to be enlarged on bail in Crime No.230/2026 of respondent No.1 - Police Station, registered for the offences punishable under Sections 64, 115(2), 308(2), 351(2) of the Bharatiya Nyaya Sanhita, 2023, under Sections 66E and 67 of the Information Technology Act and under Sections 3(1)(r), 3(1)(s), 3(2)(v) of the Scheduled Castes/Scheduled Tribes (Prevention of Atrocities) Act, subject to the following conditions:

- a) The appellant shall execute 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 Trial Court.
- b) The appellant shall appear before the Trial Court on all hearing dates without fail.
- c) The appellant shall not threaten the prosecution witnesses.



CNR: KAHC010528762026

NC: 2026:KHC:47049
CRL.A No. 1308 of 2026

In case the appellant violates any of the bail conditions as stated above, liberty is reserved to the prosecution to file necessary application for cancellation of bail.

Sd/-
(S RACHAIAH)
JUDGE

Bss
List No.: 1 Sl No.: 25