



CNR: KAHC010545122026

NC: 2026:KHC:49270
CRL.P No. 12096 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 7TH DAY OF SEPTEMBER, 2026
BEFORE
THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY
CRIMINAL PETITION NO. 12096 OF 2026

BETWEEN:

SRI JOHN PAUL
S/O LATE M. RAJU
AGED ABOUT 62 YEARS
RESIDING AT NO.40
1ST MAIN ROAD
ALASHETTIKEREPAlya
BESIDE URDU SCHOOL
SOMESHWARAPURAM
TUMAKURU - 572 102.

...PETITIONER

(BY SRI RAKSHITH R, ADV.)

AND:

THE STATE OF KARNATAKA
BY TUMAKURU RURAL P.S.
(REPRESENTED BY STATE
PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA
BENGALURU - 560 001)

...RESPONDENT

(BY SRI CHANNAPPA ERAPPA, HCGP)

THIS CRL.P IS FILED U/S 439 CR.P.C (U/S 483 BNSS)
PRAYING TO GRANT REGULAR BAIL TO THE ABOVEMENTIONED
PETITIONER ARISING OUT OF CR.NO.62/2026 REGISTERED BY
JAYANAGARA P.S., PENDING BEFORE THE IV ADDL. CIVIL JUDGE
(JR.DN) AND JMFC, TUMAKURU AND NOW COMMITTED AND BEING
TRIED BEFORE THE VI ADDL. DISTRICT AND SESSIONS JUDGE,
TUMAKURU, ON THE FILE OF SC.NO.140/2026, FOR THE OFFENCES
P/U/S 103(1),238,3(5) OF BNS AND FURTHER ALLOW THIS
PETITION.

Digitally signed
by NANDINI M
S



Location: HIGH
COURT OF
KARNATAKA



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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.2 in SC No.140/2026 pending before the Court of VI Addl. District and Sessions Judge, Tumakuru, arising out of Crime No.62/2026 registered by Jayanagara Police Station, Tumakuru, for the offences punishable under Sections 103(1), 238 and 3(5) of BNS, 2023, 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.62/2026 was registered by Jayanagara Police Station, Tumakuru, for the aforesaid offences against Naveen and petitioner herein based on the first information dated 28.03.2026 received from Yogeesh H U, police officer attached to Jayanagara Police Station, Tumakuru. In the said case, petitioner was arrested on 28.03.2026 and remanded to judicial custody. After completing investigation, charge sheet is filed against two persons for the aforesaid offences and



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petitioner is arraigned as accused No.2 in the charge sheet. His bail application filed before the jurisdictional Sessions Court in Crl.Misc.No.993/2026, was rejected on 24.07.2026. Therefore, he is before this Court.

4. Perusal of the material on record would go to show that accused No.1 - Naveen and deceased Stalin are sons of the petitioner. Accused No.1 is married and the proposal of marriage of deceased Stalin with CW5 had failed. It appears that marriage proposal of the deceased with CW5 had failed for the alleged reason that deceased had illicit relationship with the wife of accused No.1. It is under these circumstances on the alleged date of incident, accused No.1 had questioned his brother Stalin and Stalin allegedly had admitted his relationship with the wife of accused No.1 and also assaulted accused No.1. Therefore, there was a quarrel between accused No.1 and his brother Stalin. Accused No.2 tried to interven, but Stalin allegedly even abused accused No.2 and stated that he would continue his relationship with the wife of accused No.1 and therefore, accused No.1, who got enraged, brought a knife from the kitchen and assaulted his brother Stalin.



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5. Petitioner, who is the father of accused No.1 and deceased Stalin, allegedly had caught hold of Stalin so as to enable accused No.1 to stab him. Immediately, after accused No.1 had stabbed Stalin, injured Stalin was shifted to a Hospital in a car by accused Nos.1 and 2 and was admitted with a history of self fall. However, Stalin subsequently had died in the Hospital while undergoing treatment on 27.03.2026. Based on the medical records of Stalin, which suggests that injuries suffered by him were stab injuries, the first informant had approached the police and FIR was registered against accused Nos.1 and 2. Investigation of the case is now completed and charge sheet is filed. The allegation against petitioner, who is the father of accused No.1 and deceased Stalin is that after Stalin had abused him, he had held Stalin so as to enable accused No.1 to assault him with a knife. Undisputedly, there is no allegation against the petitioner about he assaulting Stalin. Material on record would go to show that Stalin has suffered only one stab injury on his body, which according to the prosecution was caused by accused No.1. Petitioner aged 62



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years, has no other criminal antecedents. Under the circumstances, the following order:-

6. The petition is allowed. The petitioner is directed to be enlarged on bail in SC No.140/2026 pending before the Court of VI Addl. District and Sessions Judge, Tumakuru, arising out of Crime No.62/2026 registered by Jayanagara Police Station, Tumakuru, for the offences punishable under Sections 103(1), 238 and 3(5) of BNS, 2023, 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;
- 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;



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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.: 44