



CNR: KAHC010548112026

NC: 2026:KHC:50826
CRL.P No. 12108 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 12108 OF 2026

BETWEEN:

SRI. MOHAN V
S/O VENKATESH MURTHY,
AGED ABOUT 38 YEARS,
R/AT WARD NO. 27, MAGADI ROAD,
RAYARADODDI,
RAMANGARA NAGAR TOWN,
RAMANGARA- 571 511.

...PETITIONER

(BY SRI. M.S. SHYAM SUNDAR, LEARNED SENIOR COUNSEL
FOR SRI. K. RAMA SINGH, ADVOCATE)

AND:

1. STATE BY PARAPPANA
AGRAHARA POLICE STATION,
REPTD BY STATE PUBLIC PROSECUTOR,
HIGH COURT COMPLEX,
BANGALORE - 560 001.
2. SMT. MEGHANA EREGOWDA
W/O LATE MAHESH,
AGED ABOUT 29 YEARS,
R/AT LALBAGH, SIDDAPURA SLUM,
NEAR PILLEKAMMA TEMPLE,
MAVALI, JAYANAGAR I BLOCK,

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



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BENGALURU - 560 011.

...RESPONDENTS

(BY SRI. RAHUL RAI K, HCGP FOR R1;
VIDE ORDER DATED 01.09.2026, NOTICE TO R2 IS HELD
SUFFICIENT)

THIS CRL.P IS FILED U/S 439 OF CR.PC (FILED U/S 483
BNSS) PRAYING TO ENLARGE THE PETITIONER ON BAIL IN
CR.NO.345/2023 AND IN SPL.C.C.NO.226/2024 FOR THE
ALLEGED OFFENCE P/U/S 120B, 341, 427, 143, 144, 147, 148,
37, 38, 302, 307, 109, 201, 202, 204, 212 R/W 149 OF IPC
AND SEC.25(1AA), 25(1B)(b) OF ARMS ACT AND SEC.3(2)(v),
3(2)(v-a) OF SC/ST (POA) ACT AND SEC.(1)(i), 3, 3(4) OF
KCOCA ACT PENDING ON THE FILE OF THE LEARNED PRL.CITY
CIVIL AND SESSIONS JUDGE AT BENGALURU.

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 Spl.CC.No.226/2024 pending before
the Court of Principal City Civil and Sessions Judge,
Bengaluru, arising out of Crime No.345/2023 registered by
Parappana Agrahara Police Station, Bengaluru City for the
offences punishable under Sections 120B, 341, 427, 143,



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144, 147, 148, 37, 38, 302, 307, 109, 201, 202, 204, 212 read with Section 149 of IPC, 1860 and Sections 25(1AA), 25(1B)(b)) of Indian Arms Act, 1959 Sections 3(2)(v), 3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities Act, 1989 and Sections 3(1)(i), 3(2), 3(3), 3(4) and 4 of Karnataka Control of Organised Crimes Act, 2000 is before this Court in his successive bail application filed under Section 483 of BNSS 2023, seeking regular bail.

2. Heard the learned counsel for the parties.

3. Learned Senior Counsel appearing on behalf of the petitioner submits that the allegations against accused No.1 and the petitioner, who is arrayed as accused No.2 in the charge sheet are similar in nature. Undisputedly, accused Nos.1 and 2 have not participated in the crime in question and the allegations against them is about conspiracy and providing vehicle to the assailants for the purpose of arriving at the spot of crime and thereafter for



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escaping. He submits that accused No.1 has been granted regular bail by the Co-ordinate bench of this Court in Crl.P.No.4236/2026 vide order dated 19.05.2026 and therefore, the petitioner is also entitled for bail on the ground of parity. Accordingly, prays to allow this petition.

4. *Per contra*, learned HCGP who has opposed the petition does not dispute the submission made by the learned counsel for the petitioner. He submits that the State Government has passed an order authorising the State Public Prosecutor to challenge the order granting bail to accused No.1 and therefore, the petitioner's prayer for grant of bail on the ground of parity cannot be entertained. Accordingly, he prays to dismiss the petition.

5. Material on record would go to show that accused Nos.1 and 2 had earlier approached this Court in Crl.P.No.3195/2025 and Crl.P.No.3210/2025 seeking regular bail. This Court vide order dated 21.07.2025, had rejected the bail application of accused Nos.1 and 2 along



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with the bail application of some other accused persons in the present case. In paragraph No.8 of the order passed by this Court in Crl.P.No.3195/2025 and Crl.P.No.3210/2025, it is observed as follows:

"8. So far as accused Nos.1 and 2 are concerned, a case of strong motive has been made out by the prosecution. According to the prosecution, since Mahesh was involved in the murder of Madan who was the accomplice of accused Nos.1 and 2, they had decided to eliminate him, and accordingly had conspired with the other accused persons. The prosecution has collected material to show that accused no.1 had provided vehicles to the assailants for the purpose of committing the crime and thereafter to escape from the spot of crime. Accused No.1 was involved in totally 22 criminal cases and during the last 10 years prior to the alleged date of incident, he was involved in 13 criminal cases. Accused No.2 was involved in 5 criminal cases prior to the registration of the present case against him."

6. Accused No.1, as against whom totally 22 criminal cases were registered, has now been granted regular bail by the Co-ordinate bench of this Court in Crl.P.No.4236/2026 vide order dated 19.05.2026. In paragraph Nos.10, 11 and 12 of the order passed by the Co-ordinate Bench of this Court in Crl.P.No.4236/2026, it is observed as follows:



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"10. Heard learned counsel for the respective parties and perused the averments of the charge-sheet. No doubt, the present petition had previously approached this Court by filing the criminal petition seeking regular bail. The Co-ordinate Bench of this Court passed an order on 21.07.2025 with a direction to the petition to renew the bail petition after examination of CW-59 to CW-67.

11. On going through the averments of the charge-sheet, the allegations made against the petition in the said charge sheet are that he had provided vehicles to his associates and also monetary benefit to commit murder of deceased Mahesh. No doubt, seven cases were registered against the petitioner and he has been acquitted in all those cases. The overt act against the petitioner, as per the charge sheet, is that he is an abettor and he had instructed his associates to commit the murder of deceased. Such being the case, keeping the petitioner in judicial custody for a considerable length of time, in my considered view, would not serve any purpose.

12. Be that as it may, the medical records appended to the petition would indicate that the petitioner needs thorough medical facilities for his ailments. Providing the medical facility is also a fundamental right and securing the speedy justice by conducting speedy trial is also one of the rights recognized under the Constitution of India. Violation of such rights, in my considered view, would be a sheer abuse of process of law. Hence, the petitioner is liable to be released on bail, on medical grounds."

7. It is not in dispute that allegations as against the petitioner and accused No.1 are similar in the charge sheet, and both of them have criminal antecedents. Since, accused No.1 has been granted regular bail by the



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Coordinate bench of this Court, even the petitioner is also entitled for the same on the ground of parity. Though it is brought to the notice of this Court by learned HCGP that the State has passed an order on 03.07.2026 authorising the State Public Prosecutor to prefer a Special Leave Petition against the order passed in CrI.P.No.4236/2026 dated 19.05.2026 granting regular bail to accused No.1, the fact remains that, till date, no petition has been filed by the State before the Hon'ble Supreme Court even though the State Government has passed an order on 03.07.2026 itself.

8. Under the circumstances, I am of the opinion that the prayer made by the petitioner for grant of regular bail needs to be answered affirmatively, reserving liberty to the State to file necessary application seeking cancellation of his bail in the event the bail granted to accused No.1 in CrI.P.No.4236/2026 is cancelled. Accordingly, the following:



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ORDER

i) The Criminal Petition is **allowed**.

ii) The petitioner is directed to be enlarged on bail in Spl.CC.No.226/2024 pending before the Court of Principal City Civil and Sessions Judge, Bengaluru arising out of Crime No.345/2023 registered by Parappana Agrahara Police Station, Bengaluru City for the offences punishable under Sections 120B, 341, 427, 143, 144, 147, 148, 37, 38, 302, 307, 109, 201, 202, 204, 212 read with Section 149 of IPC, 1860 and Sections 25(1AA), 25(1B)(b) of Indian Arms Act, 1959 Sections 3(2)(v), 3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities Act, 1989 and Sections 3(1)(i), 3(2), 3(3), 3(4) and 4 of Karnataka Control of Organised Crimes Act, 2000, subject to the following conditions:

a) The petitioner shall execute personal bond for a sum of Rs.1,00,000/- with two sureties for the likesum, to the satisfaction of the jurisdictional Court;



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- 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**

SHS
List No.: 1 Sl No.: 53