



CNR: KAHC010560292026

NC: 2026:KHC:52888
CRL.P No. 12226 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 12226 OF 2026

BETWEEN:

TARUN
S/O LATE SURENDRA,
AGED ABOUT 23 YEARS,
RESIDING AT HAKKI PIKKI LAYOUT
JIGANI HOBLI, ANEKAL TALUK
BANGALORE RURAL - 560 105.

...PETITIONER

(BY SRI. KRISHNE GOWDA M, ADVOCATE FOR
SRI. DARSHAN M.S, ADVOCATE)

AND:

STATE OF KARNATAKA
STATE BY BANNERGHATTA PS.
RPTD BY STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BANGALORE - 560 001.

...RESPONDENT

(BY SRI. RAHUL RAI K, HCGP)

THIS CRL.P IS FILED U/S.439 (FILED U/S.483 BNSS) OF
CR.P.C PRAYING TO PASS AN ORDER OF BAIL ENLARGING THE
PETITIONER IN CRIME NO.44/2023 S.C.NO.5038/2023 OF
BANNERGHATTA P.S., PENDING BEFORE THIS HONBLE III
ADDL.DISTRICT AND SESSIONS JUDGE AT BANGALORE RURAL



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DISTRICT SIT AT ANEKAL FOR THE OFFENCES P/U/S 302 OF IPC.

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 in SC No.5038 of 2023 pending before the Court of III Additional District and Sessions Judge, Bengaluru Rural District, sitting at Anekal, arising out of Crime No.44 of 2023 registered by Bannerghatta Police Station, Bengaluru District for the offence punishable under Section 302 of IPC, 1860, 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.44 of 2023 was registered by Bannerghatta Police Station, Bengaluru District for the aforesaid offence against the petitioner and 4 others,



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based on the first information dated 05.03.2023 received from Puttamadaiah son of deceased Doddamadaiah. During the course of investigation of the case, the petitioner herein was arrested on 06.03.2023 and remanded to judicial custody. After completing investigation, charge sheet is filed against him for the aforesaid offence. His bail application filed before the Trial Court in Crl.Misc.No.5368 of 2026 was rejected on 31.07.2026. Therefore, he is before this Court.

4. Perusal of the material on record would go to show that, first information in the present case was submitted by the son of deceased Doddamadaiah after receiving information over phone from his friend Madesh on 05.03.2023 at about 06.30 a.m., to the effect that somebody had committed the murder of his father Doddamadaiah. On enquiry, the mother of the first informant informed him that at about 08.00 p.m., on 04.03.2023, Doddamadaiah had gone out with the five accused persons named in the FIR and subsequently,



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there was a quarrel between Doddamadaiah and the five persons named in the FIR, who allegedly had assaulted Doddamadaiah with stone and committed his murder. It is under the circumstances, FIR was registered against petitioner and four others in Crime No.44 of 2023. Investigation of the case is now completed and charge sheet is filed.

5. As per the charge sheet allegations, on 04.03.2023 at about 11.00 p.m., the petitioner who went near the house of Doddamadaiah, had asked him to provide him beedi. Since Doddamadaiah refused to provide him beedi and abused him, the petitioner allegedly got enraged and therefore, assaulted him with a stone. After Doddamadaiah fell down, the petitioner allegedly dropped the stone on his head and committed his murder. Entire case of the prosecution is based on circumstantial evidence. There is inconsistency in the allegations found in the FIR and the allegations found in the charge sheet.



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6. Considering the aforesaid aspects of the matter and also taking into consideration the period of petitioner's incarceration, his prayer for grant of regular bail needs to be answered affirmatively, subject to appropriate conditions. Accordingly, the following:

ORDER

(i) The Criminal Petition is allowed.

(ii) The petitioner is directed to be enlarged on bail in SC No.5038 of 2023 pending before the Court of III Additional District and Sessions Judge, Bengaluru Rural District, sitting at Anekal, arising out of Crime No.44 of 2023 registered by Bannerghatta Police Station, Bengaluru District for the offence punishable under Section 302 of IPC, 1860, 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