



CNR: KAHC010565382026

NC: 2026:KHC:49435  
CRL.P No. 12512 of 2026

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 9<sup>TH</sup> DAY OF SEPTEMBER, 2026**

**BEFORE**

**THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY**

**CRIMINAL PETITION NO. 12512 OF 2026**

**BETWEEN:**

1. MR. ASHRITH MSA  
S/O M.S.ASHOK KUMAR  
AGED ABOUT 36 YEARS  
R/A 1079, RAMACHANDRA  
RAO, NEAR VIJAYA THEATRE  
BANGARPET, KOLAR.

...PETITIONER

(BY SRI C.H. JADHAV, SR. COUNSEL FOR  
SRI SIDDHARTHA D.K, ADV.)

**AND:**

1. STATE OF KARNATAKA  
WOMEN'S POLICE STATION  
SOUTH DIVISION  
3806, 9TH MAIN ROAD  
THYAGARAJA NAGAR  
BANSHANKARI  
BENGALURU - 560 070  
REPRESENTED BY  
STATE PUBLIC PROSECUTOR  
HIGH COURT BUILDING  
BANGLAORE 560 001.

2. MRS. KRUTHIKA P.D  
D/O MR. DIWAKAR  
AGED ABOUT 34 YEARS  
R/AT #107, OLD NO.62/J  
6TH MAIN, 39TH A CROSS  
JAYANAGAR 5TH BLOCK  
BENGALURU 560 041.

...RESPONDENTS

(BY SRI RAHUL RAI K, HCGP FOR R-1;  
SRI KUSHAL GOWDA, ADV., FOR  
SRI R. SWAROOP ANAND, ADV., FOR R-2)

Digitally  
signed by  
NANDINI M S  
Location  
HIGH COURT  
OF  
KARNATAKA



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THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483 BNNS) PRAYING TO ALLOW THIS MEMORANDUM OF CRIMINAL PETITION AND ENLARGE THE PETITIONER AN ANTICIPATORY BAIL IN CRIME NO.0097/2026 REGISTERED ON SOUTH WOMEN POLICE STATION IN THE EVENT OF ARREST FOR THE ALLEGED OFFENCES P/U/S 85, 115(2), 351(2), R/W 3(5) OF THE BNS 2023 AND SECTION 4 OF THE DP ACT (ANNEXURE-B AND C) PENDING ON THE FILE OF THE 37 ADDL.CMM COURT, NURPATHUNGA ROAD, BANGALORE CITY.

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.1 in Crime No.97/2026 registered by South Women Police Station, Bengaluru City, for the offences punishable under Sections 85, 115(2), 351(2) read with Section 3(5) of BNS, 2023 and Section 4 of the Dowry Prohibition Act, 1961, is before this Court in this petition filed under Section 482 of BNSS, 2023, seeking anticipatory bail.
2. Heard the learned counsel for the parties.
3. FIR in Crime No.97/2026 was registered by South Women Police Station, Bengaluru City, for the aforesaid offences against petitioner and others, based on the first information dated 07.07.2026 received from Kruthika P D, who is the wife of the petitioner. Apprehending arrest in the case, petitioner



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had filed Crl.Misc.No.7040/2026 before the jurisdictional Sessions Court, which was rejected on 03.08.2026. Therefore, he is before this Court.

4. Learned Senior Counsel appearing on behalf of the petitioner submits that after petitioner had received enquiry notice, he has appeared before the Investigation Officer and has fully cooperated for investigation. He submits that considering the nature of allegations, it is apparent that for extraneous reasons, complaint is lodged. He submits that respondent No.2 has already initiated proceedings before the jurisdictional Court under Domestic Violence Act and also issued a notice seeking divorce. Accordingly, he prays to allow the petition.

5. Per contra, learned HCGP for respondent No.1 and learned counsel for respondent No.2 have opposed the bail petition. Learned counsel for respondent No.2 placing reliance on the statement of objections filed on behalf of respondent No.2 submits that ever since the date of marriage, petitioner has continuously tortured his wife by making unreasonable



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demands to undergo various cosmetic treatments, which has affected the health of the first informant. He has referred to WhatsApp communication between the parties and submits that first informant was continuously forced by the petitioner to undergo various cosmetic treatments for looking better and ultimately, that has caused injury to her health. He also submits that in the first information, there is an allegation of demand for dowry by the accused persons. Accordingly, he prays to dismiss the petition.

6. The material on record would go to show that marriage of the first informant with the petitioner was solemnized on 08.03.2019. A reading of the first information would reveal that even prior to the marriage, at the instance of the petitioner, respondent No.2 had undergone various cosmetic treatments. The allegation in the first information is that even after marriage, petitioner was continuously insisting his wife to undergo various cosmetic treatments for her skin, face and other parts of the body and though the first informant was not willing, petitioner had forced her to undergo the said treatments and as a result, she has suffered injury to her



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health and the same also has left behind some permanent scars on her hands and legs. Learned Senior Counsel appearing for the petitioner has submitted that pursuant to the enquiry notice received from the Investigation Officer, petitioner has appeared before him on 10.07.2026, 11.08.2026 and 17.08.2026 and has co-operated for the purpose of investigation. Learned HCGP has not disputed the said submission.

7. The Hon'ble Supreme Court in the case of **SIDDHARAM SATLINGAPPA MHETRE V. STATE OF MAHARASHTRA AND OTHERS - (2011) 1 SCC 694** has observed that if it is found that an accused has co-operated for investigation, in normal circumstances, his prayer for anticipatory bail needs to be entertained. In paragraph Nos.89 and 90 of the said judgment, it is observed as follows:-

*"89. It is imperative for the courts to carefully and with meticulous precision evaluate the facts of the case. The discretion must be exercised on the basis of the available material and the facts of the particular case. In cases where the court is of the considered view that the accused has joined investigation and he is fully cooperating with the investigating agency and is*



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*not likely to abscond, in that event, custodial interrogation should be avoided.*

*90. A great ignominy, humiliation and disgrace is attached to the arrest. Arrest leads to many serious consequences not only for the accused but for the entire family and at times for the entire community. Most people do not make any distinction between arrest at a pre-conviction stage or post-conviction stage."*

8. The maximum punishment for the alleged offences is imprisonment for a period of three years. Petitioner, who has no other criminal antecedents, has already co-operated for the purpose of investigation and he has undertaken to co-operate with the Investigation Officer for further investigation, if any. Considering the aforesaid aspects of the matter, the following order:-

9. The petition is allowed. The respondent - Police or any other police in the State of Karnataka are directed to release the petitioner in the event of his arrest in Crime No.97/2026 registered by South Women Police Station, Bengaluru City, for the offences punishable under Sections 85, 115(2), 351(2) read



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with Section 3(5) of BNS, 2023 and Section 4 of the Dowry Prohibition Act, 1961, subject to the following conditions:

1. The Petitioner shall appear before the Investigating Officer within 15 days from the date of receipt of the copy of this order and shall execute a personal bond for a sum of Rs.1,00,000/- with two sureties for the likesum to the satisfaction of the investigating officer.
2. Petitioner shall regularly appear before the Trial Court without fail unless exempted by the Trial Court for valid reasons.
3. Petitioner shall not tamper with the prosecution witnesses and he shall co-operate with the police for investigation and appear before them whenever called upon.
4. The petitioner shall not involve in similar offences in future.

**Sd/-**  
**(S VISHWAJITH SHETTY)**  
**JUDGE**

DN/List No.: 1 SI No.: 64