



CNR: KAHC010574742026

NC: 2026:KHC:53208
CRL.P No. 12619 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. 12619 OF 2026

BETWEEN:

SRI DEVIPRASAD SHETTY
S/O RATHANAKAR SHETTY
AGED ABOUT 33 YEARS
R.AT D.NO. 2-178-1
KULLURU KRLAMANE
KUTTETHURU KELAMANE
BAJAVA POST, KATIPALLA
MANGALORE, DAKSHINA
KANNADA - 575 030.

...PETITIONER

(BY SRI NISHIT KUMAR SHETTY, ADV.)

AND:

STATE OF KARNATAKA
BY SHO, KOTA PLICE STATION
REPRESENTED BY STATE
PUBLIC PROSECUTOR
HIGH COURT OF BUILDING
BENGALURU - 560 001.

...RESPONDENT

(BY SRI CHANNAPPA ERAPPA, HCGP)

THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483 BNNS)
PRAYING TO ORDER FOR THE RELEASE OF THE PETITIONER ON
REGULAR BAIL IN SPL.C NO.169/2026 (CRIME NO.208/2025 OF
KOTA POLICE STATION) REGISTERED FOR THE OFFENCES P/U/S
189(2), 191(3), 140(2), 111(2)(b), 111(3), 111(4), 238(A), 49 WITH
190 OF BNS 2023 SECTION 3(1)(ii), 3(2), 3(4) OF KCOC ACT 2000
AND SECTION 4 WITH SECTIONS 25(1B)(b) OF INDIAN ARMS ACT
PENDING ON THE FILE OF THE PRL.DISTRICT AND SESSIONS
JUDGE, AT MYSURU.

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.3 in Special Case No.169 of 2026 pending before the Court of Principal District and Sessions Judge, Mysuru, arising out of Crime No.208 of 2025 registered by Kota Police Station, Udupi for the offences punishable under Section 189(2), 191(3), 140(2), 111(2)(b), 113(3), 111(4), 238(A), 49 read with 190 of BNS, 2023, Section 3(1)(ii), 3(2), 3(4) of KCOCA Act, 2000 and Section 4, 25(1B)(b) of Indian Arms Act, is before this Court in this criminal petition filed under Section 483 of BNSS, 2023 seeking regular bail.

2. Heard the learned counsel for the parties.

3. FIR in Crime No.208 of 2025 was registered by Kota Police Station, Udupi for offences punishable under Section 140(1), 308(4), 112, 3(5) of BNS, 2023 against Manoj Kodikere (accused No.1) and unknown two to three persons, based on the first information dated 19.11.2025 received from Mohanadas Shetty.N (CW1), who is the father of alleged victim



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Thejas (CW2). In the said case, the petitioner was arrested on 07.12.2025 and remanded to judicial custody. Charge sheet is subsequently filed against nine persons and petitioner is arrayed as accused Nos.3 in the charge sheet. His bail application filed before the jurisdictional Sessions Court in Special Case No.169 of 2026 was rejected on 01.06.2026. Therefore, he is before this Court.

4. Learned counsels appearing for the petitioners submit that the allegations as against accused nos.3 to 9 are similar in charge sheet. Accused nos.4 to 9 have been granted regular bail by this Court in CrI.P.No.9373/2026 C/w 3739/2026. Accordingly, he prays to allow the petition.

5. *Per contra*, learned HCGP who has opposed the petition does not dispute the submission made by learned counsel for the petitioner. He has brought to the notice of this Court that two criminal cases have been registered against the petitioner prior to present case. Accordingly, he prays to dismiss the petition.



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6. In the first information submitted by CW.1, who is the father of CW.2 it is stated that he had received a phone call from CW.3, who had informed him that CW2 was kidnapped and CW.2 had subsequently contacted him over what's-app call and informed him that the persons who had kidnapped him were demanding Rs.50,00,000/- as ransom money. He also stated that subsequently they had made a demand for a sum of Rs.3 crores and threatened to murder CW.2 if the said amount is not paid. It is in this background, FIR was registered against Manoj Kodikere (accused No.1) and two other unknown persons.

7. During the course of investigation in the said case, the petitioners herein and other accused were arrested. Charge sheet is now filed against 9 persons. Accused nos.4 to 9 had approached this Court in Crl.P.No.9373/2026 C/w Crl.P.No.3739/2026 which was allowed by this Court. In paragraph nos.8 to 11 of the said order it is observed as follows:-

8. Undisputedly, CW1 or CW3 have not received any call from any of the accused in the



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present case demanding ransom for the release of Thejas (CW2). According to the prosecution, after CW2 was kidnapped, he had made a call to CW3 and informed him that he was kidnapped and the kidnappers were demanding ransom money for his release. They had also threatened that they would be committing his murder if the ransom amount was not paid.

9. *The statement of Prajwal (CW3) has been recorded in the present case on 28.01.2026. In the said statement, it is stated that on 19.11.2025 at about 12.12 p.m., he had received a whats-app call from Thejas (CW2), who asked him to arrange a sum of Rs.50,00,000/- urgently, as the same was required to be handed over to somebody. CW3 has not stated that CW2 had informed him that he was kidnapped and the kidnappers were demanding ransom money. CW3 has also not stated that the kidnappers who had initially demanded Rs.50,00,000/- had subsequently made a demand for sum of Rs.3,00,000/- and they had threatened to commit the murder of CW2 in the event the said money was not paid. After having received the call from CW2, CW3 in turn had informed CW1 that his son was kidnapped, though such information was not passed over to him by CW2. Therefore, I find some force in the arguments that it was CW2 and CW3, who had hatched the sketch of kidnapping.*



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10. *The statement of Thejas (CW2) who is the alleged victim in the present case, was recorded on 19.11.2025, the date on which the FIR was registered. In the said statement, it is stated that he got acquainted with Manoj Kodikere (accused No.1), when he was in jail and accused No.1 had agreed to recover money from Vickyth Shetty (CW8), who was due to pay money to CW2. He has thereafter stated that for the purpose of recovering money from CW8 on instructions from accused No.1, he had gone to the place from where he was taken by the other accused persons in a car on 19.11.2025. From the aforesaid, it appears that CW1 was facing severe problems and was desperate to recover money from CW8 and therefore, had sought the services of accused No.1 for the said purpose.*

11. *It is not in dispute that there was no other criminal case pending against the petitioners herein as on the date of their arrest. Investigation of the case is completed and charge sheet has been filed. Alleged victim CW2 was released on 19.11.2025 itself and undisputedly he had no injuries on his body".*

8. The aforesaid reasoning assigned by this Court while granting bail to accused nos.4 to 9 is squarely applicable to the case on hand. The accused persons who have been



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granted regular bail by this Court in the aforesaid two criminal petitions were also persons with criminal antecedents.

9. Under the circumstances, I am of the view that the prayer made by the petitioner for grant of regular bail needs to be answered affirmatively on the ground of parity. Accordingly, the following:

ORDER

The Criminal Petition is allowed. The petitioner is directed to be enlarged on bail in Special Case No.169 of 2026 pending before the Court of Principal District and Sessions Judge, Mysuru, arising out of Crime No.208 of 2025 registered by Kota Police Station, Udupi for the offences punishable under Section 189(2), 191(3), 140(2), 111(2)(b), 113(3), 111(4), 238(A), 49 read with 190 of BNS, 2023, Section 3(1)(ii), 3(2), 3(4) of KCOCA Act, 2000 and Section 4, 25(1B)(b) of Indian Arms Act, 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