



CNR: KAHC010581042026

NC: 2026:KHC:52129
CRL.P No. 12841 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 22ND DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 12841 OF 2026

BETWEEN:

RAKESH D
S/O DURGAPPA,
AGED ABOUT 24 YEARS,
OCC: LABOURER
R/O HOLEHONNUR,
HOSAKOPPA VILLAGE,
SHIVAMOGGA DISTRICT - 577 227.

...PETITIONER

(BY SRI. P.B. UMESH, ADVOCATE FOR
SRI. RAVINDRA B. DESHPANDE, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA BY
TUNGA NAGAR POLICE STATION,
SHIVAMOGGA SUB-DIVISION,
SHIVAMOGGA - 577 201.
REPRESENTED BY STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDINGS,
BENGALURU - 560 001.
2. XXX....
VICTIM/COMPLAINANT IN CRIME NO.317/2026
OF TUNGA NAGARA POLICE STATION,
SHIVAMOGGA - 577 201.
SINCE MINOR REPRESENTED BY



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NATURAL GUARDIAN FATHER
SHRI SOMASHEKAR N
S/O MARAPPA
AGED ABOUT 40 YEARS
R/O KORAMARA STREET,
2ND CROSS, GOPALA
SHIVAMOGGA - 577 001.

...RESPONDENTS

(BY SRI. RAHUL RAI K, HCGP FOR R1;
SMT. PARINEETA S. CHAHAL, ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S 439 OF CR.P.C (U/S 483 BNSS)
PRAYING TO ENLARGE THE PETITIONER ON BAIL IN
CR.NO.317/2026 (SPL.C.NO.203/2026) REGISTERED BY TUNGA
NAGAR P.S., SHIVAMOGGA, CHARGE SHEETED FOR THE
OFFENCES P/U/S 8 AND 12 OF POCSO ACT, 2012, PENDING
BEFORE THE ADDL. DISTRICT AND SESSIONS JUDGE, FTSC-I
(POCSO) SHIVAMOGGA.

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 Special Case No.203 of 2026 pending
before the Court of Additional District and Sessions Judge,
FTSC-I (POCSO), Shivamogga, arising out of Crime No.317
of 2026 registered by Tunga Nagar Police Station,



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Shivamogga for the offences punishable under Section 8 and 12 of the POCSO Act, 2012, 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.317 of 2026 was registered by Tunga Nagar Police Station, Shivamogga for the aforesaid offences against petitioner herein, based on the first information dated 11.05.2026 received from the victim girl, aged 15 years. During the course of investigation, petitioner was arrested on 13.05.2026 and remanded to judicial custody. His bail application filed before the Trial Court in Crl.Misc.No.741 of 2026, which was rejected on 01.08.2026. Therefore, he is before this Court.

4. First information is submitted in the present case on 11.05.2026 in respect of the alleged incident that had taken place on 04.05.2026, wherein the petitioner allegedly had hugged the victim girl, kissed her on the



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forehead and lips and thereafter, criminally intimidated her. The statement of the victim girl has been recorded under Section 183 of BNSS, 2023 in the present case by the jurisdictional Magistrate on 25.05.2026. In the said statement, the victim has stated that the petitioner is her relative and that for the last 3 years, he had been pressuring her to love him. On 04.05.2026, he had asked her to come near Ramakrishna School in their village. Accordingly, she had gone to the said school, thereafter, the petitioner had taken her near Inchara school, hugged and kissed her on the forehead and lips. She has further stated that her uncle had seen her returning from the school and had informed the same to her father. Therefore, she had attempted to commit suicide and was hospitalized. It is under these circumstances, the FIR came to be registered against the petitioner.

5. Be that as it may fact remains, the petitioner has no other criminal antecedents and he is in custody in the present case for the last more than 4 months. The



alleged offences are punishable with imprisonment for the period upto 5 years.

6. 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, 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 Special Case No.203 of 2026 pending before the Court of Additional District and Sessions Judge, FTSC-I (POCSO), Shivamogga, arising out of Crime No.317 of 2026 registered by Tunga Nagar Police Station, Shivamogga for the offences punishable under Section 8 and 12 of the POCSO Act, 2012, subject to the following conditions:

a) The petitioner shall execute personal bond for a sum of Rs.1,00,000/- with two



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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.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

AMM
List No.: 1 SI No.: 64