



CNR: KAHC010584062026

NC: 2026:KHC:47883
CRL.P No. 12962 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 2ND DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 12962 OF 2026

BETWEEN:

1. JAGADEESHA GOWDA H.K
S/O KALLE GOWDA H.R
AGED ABOUT 70 YEARS
OCC AGRICULTURIST
R/O HANUMANAHALLI VILLAGE
KENJIGE POST, MUDIGERE TALUKA
CHIKKAMAGALURU DISTRICT - 577 132.
2. H.K. PRABHAKAR
S/O LATE KALE GOWDA
AGED ABOUT 64 YEARS
OCC: AGRICULTURIST
R/O HANUMANAHALLI VILLAGE
KENJIGE POST, MUDIGERE TALUKA
CHIKKAMAGALURU DISTRICT - 577 132.

...PETITIONERS

(BY SRI SANDESH J CHOUTA, SR. COUNSEL A/W
SRI P.B. UMESH, ADV., FOR
SRI RAVINDRA B. DESHPANDE, ADV.)

AND:

THE STATE OF KARNATAKA
BY MUDIGERE POLICE STATION
MUDIGERE CIRCLE
CHIKKAMAGALURU DISTRICT - 577 132
(REPRESENTED BY STATE PUBLIC
PROSECUTOR, HIGH COURT BUILDINGS
BENGALURU - 560 001)

...RESPONDENT

(BY SRI VINAY MAHADEVAIAH, HCGP)

THIS CRL.P IS FILED U/S.438 (FILED U/S.482 BNSS) CR.P.C
PRAYING TO DIRECT THE CONCERNED POLICE OF MUDIGERE POLICE



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STATION, CHIKKAMAGALURU DISTRICT TO ENLARGE THE PETITIONER/ACCUSED NO.1 AND 2 ON BAIL IN CRIME NO.126/2026 OF MUDIGERE POLICE STATION, CHIKKAMAGALURU DISTRICT (REGISTERED FOR THE OFFENCE P/US/ 118(1),352,109 OF BNS 2023 AND SEC.3,25 OF ARMS ACT 1959, NOW PENDING ON THE FILE OF THE PRINCIPAL CIVIL JUDGE (Jr.Dn.) AND JMFC COURT, MUDIGERE CHIKKAMAGALURU DISTRICT) IN THE EVENT OF THE ARREST WITH SUCH CONDITIONS WHICH THIS HONBLE HIGH COURT DEEMS FIT TO BE IMPOSED IN THE CIRCUMSTANCES OF THE CASE.

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 nos.1 & 2 in Crime No.126/2026 registered by Mudigere Police Station, Chikkamagaluru District, for the offences punishable under Sections 118(1), 352, 109 of BNS, 2023, and Sections 3, 25 of the Arms Act, 1959, are 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.126/2026 was registered by Mudigere Police Station, for the aforesaid offences against the petitioners herein based on the first information dated 24.07.2026 received from Sulthan Ali who is the father of the injured



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victim. Apprehending arrest in the said case, petitioners had filed Crl. Misc. No.487/2026 before the jurisdictional Sessions Court which was dismissed on 17.08.2026. Therefore, they are before this Court.

4. Perusal of the first information would reveal that first informant and his family members who hail from Assam State were working in the coffee estate of accused no.1. On 24.07.2026 at about 10.00 a.m. when the first informant and others who were working as coolies in the coffee estate of the first informant demanded payment of their wages at the rate of Rs.400/- per day as agreed, accused nos.1 & 2 allegedly informed that they would be paid only at the rate of Rs.350/- per day. When the first informant and others demanded payment at the rate of Rs.400/- per day, they were allegedly assaulted by accused nos.1 & 2 with wooden clubs and also abused using filthy language. After the aforesaid incident, when first informant and his family members packed their bags and were about to leave the coffee estate of accused no.1, accused no.2 who came with a gun, fired on them with an intention to commit their murder, and as a result, daughter of first



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informant's brother aged two years suffered a gun shot injury on the right side of her head. Immediately thereafter, the child was shifted to Mudigere Hospital and subsequently to an hospital at Mangaluru. The medical records of the injured victim girl would go to show that she was admitted in the hospital for a period of eight days. Under the circumstances, I am of the opinion that the prayer made by accused no.2 who had caused the gun shot injury on the injured victim girl for grant of anticipatory bail cannot be entertained. Accordingly, the following order:

5. Petition is allowed in part. The petition as against accused no.2/petitioner no.2 is dismissed. The petition as against accused no.1/petitioner no.1 is allowed. The respondent - Police or any other police in the State of Karnataka are directed to release accused no.1/petitioner no.1 in the event of his arrest in Crime No.126/2026 registered by Mudigere Police Station, Chikkamagaluru District, for the offences punishable under Sections 118(1), 352, 109 of BNS, 2023, and Sections 3, 25 of the Arms Act, 1959, subject to the following conditions:



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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 witness 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.

6. In the event accused no.2 surrenders before the jurisdictional Court and files necessary application seeking regular bail, considering the age of accused no.2, the said court shall consider such application on merits, as expeditiously as possible.



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7. IA-1/2026 does not survive for consideration and the same is accordingly disposed of.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

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