



CNR: KAHC010588762026

NC: 2026:KHC:52677
CRL.P No. 13070 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 23RD DAY OF SEPTEMBER, 2026
BEFORE
THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY
CRIMINAL PETITION NO. 13070 OF 2026

BETWEEN:

ABDUL
S/O MAHAMMED
AGED ABOUT 19 YEARS
R/AT HANCHINAL VILLAGE
SHAHAPUR TALUK
YADGIRI DISTRICT - 585 202.

...PETITIONER

(BY SRI NINGARAJA M.N, ADV.)

AND:

1. THE STATE OF KARNATAKA BY
PEENYA POLICE STATION
BANGALORE CITY
REP BY ITS STATE PUBIC
PROSECUTOR, HIGH COURT
BUILDING, BANGALORE - 560 009.

2. XXX

...RESPONDENTS

(BY SRI CHANNAPPA ERAPPA, HCGP FOR R-1;
SRI RENUKARADYA A.D, ADV., FOR R-2)

THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483 BNSS)
PRAYING TO ENLARGE THE PETITIONER/ ACCUSED NO.2 ON BAIL IN
SPL.C.C.NO.979/2026 (CR.NO.128/2026) OF PEENYA P.S., FOR THE
OFFENCES P/U/S 137(2), 65(1) OF BNS AND 4,6,8 OF POCSO ACT
AND 9 OF PROHIBITION OF CHILD MARRIAGE ACT, PENDING ON THE
FILE OF THE ADDL. CITY CIVIL AND SESSIONS JUDGE, AT
BANGALORE (FTSC-II).

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER
WAS MADE THEREIN AS UNDER:



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CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

Accused No.2 in Spl.C.C.No.979/2026 pending before the Court of the Additional City Civil and Sessions Judge (FTSC-II), Bengaluru, arising out of Crime No.128/2026 registered by Peenya Police Station, Bengaluru City for the offences punishable under Sections 137(2) and 65(1) of BNS, 2023, Sections 4, 6 and 8 of POCSO Act, 2012 and Section 9 of Prohibition of Child Marriage Act, 2006, 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.128/2026 was registered by Peenya Police Station, Bengaluru City for the offence punishable under Section 137(2) of BNS, 2023, against the petitioner and another, based on the first information dated 26.02.2026 received from respondent No.2, who is the mother of victim No.1 and maternal aunt of victim No.2. During the course of investigation, the petitioner herein was arrested on 03.03.2026 and remanded to judicial custody. After completing investigation, charge sheet is filed against two persons and the petitioner is arrayed as accused No.2 in the charge sheet. His bail application filed before the Trial Court in



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Crl.Misc.No.5274/2026 was rejected on 11.08.2026. Therefore, he is before this Court.

4. Perusal of the material on record would go to show that the first informant (CW-1) is the mother of CW-3, who is victim No.1 in the present case. CW-4, who is the other victim girl in the present case, is the daughter of the younger sister of CW-1. CW-3 and CW-4 were found missing from their house on 25.02.2026 and efforts made to trace them had failed. Therefore, CW-1 had approached the police on 26.02.2026 and since she suspected the involvement of the accused in the present case, FIR was registered against them in Crime No.128/2026 for the offence punishable under Section 137(2) of BNS, 2023.

5. During the course of investigation, accused Nos.1 and 2 and CW-3 and CW-4 were traced. Accused Nos.1 and 2 were arrested and remanded to judicial custody. After completing investigation, charge sheet is filed against them.

6. A reading of the charge sheet would go to show that accused Nos.1 and 2 are acquainted with CW-3 and CW-4 and on 25.02.2026, accused Nos.1 and 2 allegedly had taken CW-3 and CW-4 along with them, stating that they would be marrying them. Thereafter, they had stayed in an under construction house for about four days. Accused No.1 had married CW-3 and accused No.2 had



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married CW-4 in the shed near the under construction building by tying a mangal suthra around their necks. Subsequently, accused No.1 allegedly had sexual intercourse with CW-3 in the said building and accused No.2 allegedly had kissed CW-4 and also touched her body inappropriately.

7. It is under these circumstances, charge sheet is filed in the present case as against accused No.2 by invoking offences punishable under Section 137(2) of BNS, 2023, Section 8 of POCSO Act, 2012 and Section 9 of Prohibition of Child Marriage Act, 2006. The maximum punishment for the offences for which accused No.2 is charge sheeted is imprisonment for a period of five years. Accused No.2 is a youngster aged about 19 years and is in custody for the last six months. Considering the aforesaid aspects of the matter, I am of the opinion that the prayer made by accused no.2 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 Spl.C.C.No.979/2026 pending before the Court of the Additional City Civil and Sessions Judge (FTSC-II), Bengaluru arising out of Crime No.128/2026 registered by Peenya Police Station, Bengaluru City for



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the offence punishable under Sections 137(2) and 65(1) of BNS, 2023, Sections 4, 6 and 8 of POCSO Act, 2012 and Section 9 of Prohibition of Child Marriage Act, 2006, 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;
- 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

SHS
List No.: 1 Sl No.: 57