



CNR: KAHC010593682026

NC: 2026:KHC:52029
CRL.P No. 13325 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 13325 OF 2026

BETWEEN:

SHIVASHANKAR @ SHANKAR
S/O NAJUNDAPPA
AGED ABOUT 34 YEARS
PRESENTLY RESIDING AT NO.46
MUNIKRISHNAPPA BUILDING
1ST MAIN, SUBBAYYA GARDEN
GARVEBHAVI PALYA ROAD
HONGASANDRA, BOMMANAHALLI
BENGALURU - 560 068.

...PETITIONER

(BY SRI GIRISH R, ADV.)

AND:

STATE OF KARNATAKA
BY BOMMANAHALLI P.S
NOW REPRESENTED BY
STATE PUBLIC PROSECUTOR
HIGH COURT BUILDING
BENGALURU - 560 001.

...RESPONDENT

(BY SRI RAHUL RAI K, HCGP)

THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483 BNSS)
PRAYING TO PASS AN ORDER GRANTING REGULAR BAIL THEREBY
DIRECTING THE RESPONDENT BOMMANAHALLI POLICE TO RELEASE
THE PETITIONER IN CR.NO.09/2020 IN SC.NO.836/2020 PENDING
ON THE FILE OF THE HONBLE LXVII ADDL. CITY CIVIL AND
SESSIONS JUDGE, BENGALURU (CCH-46) FOR THE ALLEGED
OFFENCES P/U/S 302 AND 201 OF THE IPC, 1860.

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 in SC No.836/2020 pending before the Court of XLV Additional City Civil and Sessions Judge, Bengaluru, arising out of Crime No.9/2020 registered by Bommanahalli Police Station, Bengaluru, for the offences punishable under Sections 302 and 201 of IPC, 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. A perusal of the material on record would go to show that petitioner, who was arrested in the present case on 13.01.2020 was granted regular bail by the Co-ordinate Bench of this Court in Crl.P.No.7991/2020 by order dated 08.01.2021. It appears that subsequently, petitioner had not appeared before the Trial Court on regular dates of hearing and therefore, his presence was secured and was remanded to judicial custody on 26.03.2026. His bail application filed thereafter in SC



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No.836/2020 was rejected on 13.08.2026. Therefore, he is before this Court.

4. The submission made learned counsel for the petitioner that petitioner has no other criminal antecedents is not seriously disputed by learned HCGP.

5. On the merits of the case, petitioner, who was arrested in the present case on 13.01.2020, was granted regular bail by this Court, after the charge sheet was filed, in Crl.P.No.7991/2020, which was disposed off on 08.01.2021. The order sheet of the Trial Court would go to show that petitioner was thereafter appearing before the Trial Court, however, on 16.05.2025, since he had not appeared before the Trial Court, coercive steps were taken against him and thereafter, his presence was secured and remanded to judicial custody. The order sheet of the Trial Court would reveal that material charge sheet witnesses have been already examined in the present case. Be that as it may, the fact remains that petitioner is now arrested and remanded to judicial custody only for the reason that he had not appeared before the Trial



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Court on the regular dated of hearing. For the mistake committed by him, he has been sufficiently punished. Under the circumstances, the following order:-

6. The petition is allowed. The petitioner is directed to be enlarged on bail in SC No.836/2020 pending before the Court of XLV Additional City Civil and Sessions Judge, Bengaluru, arising out of Crime No.9/2020 registered by Bommanahalli Police Station, Bengaluru, for the offences punishable under Sections 302 and 201 of IPC, subject to the following conditions:

- a) Petitioner shall execute a 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;



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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**

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List No.: 1 Sl No.: 97