



CNR: KAHC010606922026

NC: 2026:KHC:52901
CRL.P No. 13660 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. 13660 OF 2026

BETWEEN:

GIRISH
S/O LATE VELU
AGED ABOUT 21 YEARS
R/O ARATHOLALU KAIMARA
VILLAGE, BHADRAVATHI TALUK
SHIVAMOGGA - 577 243.

...PETITIONER

(BY SRI PRASAD B.S, ADV.)

AND:

1. STATE OF KARNATAKA
BY INSPECTOR OF POLICE
HOLEHONNUR POLICE STATION
REPRESENTED BY THE STATE
PUBLIC PROSECUTOR, HIGH COURT
OF KARNATAKA, BENGALURU - 560 001.

2. XXX

...RESPONDENTS

(BY SRI CHANNAPPA ERAPPA, HCGP FOR R-1;
SRI V.S. VENKATESHA GOWDA, ADV. FOR R-2)

THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483 BNNS)
PRAYING TO ENLARGE THE PETITIONER ON BAIL IN CRIME
NO.116/2026 IN SPL.S.C.NO.214/2026 PENDING ON THE FILE OF
THE LEARNED ADDL. DISTRICT AND SESSIONS JUDGE FTSC-I
(POCSO) AT SHIVAMOGGA FOR THE OFFENCES ALLEGEDLY P/U/S
87, 64, 352, 351(2), 3(5), 137(2), 127(2) OF THE BNS, 2023 AND
FOR THE OFFENCE P/U/S 6 AND 21 OF THE PROTECTION OF
CHILDREN FROM SEXUAL OFFENCES ACT, 2012 AND FOR THE
OFFENCE P/U/S 10 AND 9 PROHIBITION OF CHILD MARRIAGE ACT,
2006 REGISTERED BY THE RESPONDENT SHIVAMOGGA
HOLEHONNUR POLICE STATION.



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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

Accused No.1 in S.C.No.214/2026 pending before the Court of the Additional District and Sessions Judge, FTSC-I (POCSO) at Shivamogga arising out of Crime No.116/2026 registered by Holehonnur Police Station, Shivamogga for the offences punishable under Sections 87, 64, 352, 351(2), 3(5), 137(2), 127(2) of BNS, 2023, Sections 21 and 6 of POCSO Act, 2012 and Sections 9 and 10 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.116/2026 was registered by Holehonnur Police Station, Shivamogga for the offences punishable under Section 137(2) of BNS, 2023 against unknown person, based on the first information dated 22.04.2026 received from Sri Praveena Kumara, uncle of the victim girl. In the said case, the petitioner was arrested on 27.05.2026 and remanded to judicial custody. After completing investigation, charge sheet is now filed against four persons and the petitioner is arrayed as accused No.1 in the charge sheet. His bail application filed before the jurisdictional Sessions Court in



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Crl.Misc.No.837/2026 was rejected on 18.08.2026. Therefore, he is before this Court.

4. In the first information submitted by the uncle of the victim girl, it is stated that the victim girl, who had gone out of the house on 21.04.2026 at about 02.00 p.m., had not returned. Efforts made to trace her had failed and therefore, on the next day, her uncle had approached the police and FIR was registered against unknown person for the offence punishable under Section 137(2) of BNS, 2023.

5. During the course of investigation, the petitioner and the victim girl were traced together. The petitioner was arrested and remanded to judicial custody on 27.05.2026. The statement of the victim girl under Section 183 of BNSS, 2023 was recorded before the jurisdictional Magistrate on 25.04.2026.

6. In the said statement, the victim girl has stated that she is in love with the petitioner for the last six months. On 21.04.2026, she had left her house and travelled with the petitioner to Davangere and thereafter to Sakaleshpura and had stayed in the house of petitioner's relative at Sakaleshpura for a day. Subsequently, they went to Chikmagaluru and stayed in the grandmother's house of the petitioner for a day. Thereafter, the mother of the petitioner brought them back to Bhadravathi and sent her home. The victim girl, in her



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statement under Section 183 of BNSS, 2023 has not made any such allegation which would attract the charge sheeted offences against the petitioner.

7. The petitioner, aged 21 years is in custody for the last nearly four months. Investigation of the case is already completed. Considering the nature of the allegations against the petitioner, the statement of the victim girl recorded under Section 183 of BNSS, 2023, and also the age of the parties, 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 S.C.No.214/2026 pending before the Court of the Additional District and Sessions Judge FTSC-I (POCSO) at Shivamogga arising out of Crime No.116/2026 registered by Holehonnur Police Station, Shivamogga for the offences punishable under Sections 87, 64, 352, 351(2), 3(5), 137(2), 127(2) of BNS, 2023, Sections 21 and 6 of POCSO Act, 2012 and Section 9 and 10 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



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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.: 82