



CNR: KAHC010619812026

NC: 2026:KHC:54167
CRL.P No. 13936 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 29TH DAY OF SEPTEMBER, 2026
BEFORE
THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY
CRIMINAL PETITION NO. 13936 OF 2026

BETWEEN:

KRISHNACHARI @ MANTI
S/O MANTELINGACHARI
AGED ABOUT 41 YEARS
R/O KEELARA VILLAGE
MANDYA TALUK
MANDYA DISTRICT - 571 450.

...PETITIONER

(BY SRI LAKSHMIKANTH K, ADV.)

AND:

STATE OF KARNATAKA
BY KIRUGAVALU POLICE STATION
REP. BY STATE PUBLIC PROSECUTOR
HIGH COURT BUILDING
HIGH COURT OF KARNATAKA
BENGALURU - 560 001.

...RESPONDENT

(BY SRI RAHAUL RAI K, HCGP)

THIS CRL.P IS FILED U/S 439 CR.P.C (U/S 483 BNSS)
PRAYING TO RELEASE HIM ON BAIL WHO IS ACCUSED NO.3 IN
CR.NO.83/2025 REGISTERED BY THE RESPONDENT IN KIRUGAVALU
P.S., FOR THE OFFENCES P/U/S 103,307,331(4),305,238,61(2) R/W
190 OF BNS, U/S 177 OF INDIAN MOTOR VEHICLES ACT, PENDING
BEFORE THE V ADDL. DISTRICT AND SESSIONS JUDGE, AT MANDYA.

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





CNR: KAHC010619812026

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

1. Accused No.3 in SC No.88/2026 pending before the Court of V Addl. District and Sessions Judge, Mandya, arising out of Crime No.83/2025 registered by Kirugavalu Police Station, Halaguru Circle, Mandya District, for the offences punishable under Sections 103, 307, 331(4), 305, 238, 190 and 61(2) of BNS, 2023 and Section 177 of the Indian Motor Vehicles Act, 1988, is before this Court, in this petition filed under Section 483 of the BNSS, 2023, seeking regular bail.

2. Heard the learned counsel for the parties.

3. FIR in Crime No.83/2025 was registered by Kirugavalu Police Station, Mandya, initially for the offences punishable under Sections 103, 307, 331(4) and 305 of the BNS, 2023, against unknown persons based on the first information dated 17.08.2025 received from Sri. Rudraswamy. During the course of investigation, petitioner herein was arrested on 21.08.2025 and remanded to judicial custody. After completing investigation, charge sheet has been filed against five persons,



CNR: KAHC010619812026

wherein petitioner is arrayed as accused No.3 in the charge sheet. Bail application filed by the petitioner herein before the Trial Court in SC No.88/2026 was rejected on 19.08.2026. Therefore, he is before this Court.

4. Accused Nos.4 and 5 in the present case have been granted regular bail by this Court in Crl.P.No.5072/2026 on 07.07.2026 and in Crl.P.No.4755/2026 on 18.06.2026. In paragraph Nos.6 and 7 of the order passed in Crl.P.No.4755/2026, it is observed as follows:-

"6. The charge sheet material would reveal that the accused persons, who are in the habit of gambling, were in debt and therefore, they had conspired to commit robbery in Mahalakshmi Jewellery Shop and in furtherance of such conspiracy, on the intervening night of 16.08.2025 and 17.08.2025, they had arrived near the spot of crime in a vehicle and had brought gas cutter along with them. According to the prosecution, accused Nos.2 and 3 were given the task of cutting the rolling shutters of the shop, while the other accused persons were keeping watch. In the charge sheet, it is alleged that after hearing the noise, the deceased, Madappa, who was in his hotel, which is opposite to



CNR: KAH010619812026

the Jewellery Shop, came out of the Hotel. Accused No.1 allegedly held Madappa and closed his mouth with his hand and thereafter, accused Nos.3, 4 and 5 lifted Madappa and smothered him to death. Subsequently, the accused persons committed robbery of gold and silver articles worth Rs. 11,16,000/- and escaped from the spot.

7. During the course of investigation, five persons were arrested in the present case and the petitioner is arrayed as accused No.5 in the charge sheet. The Police have recovered stolen articles at the instance of accused No.2. Even in the CCTV footages, which are collected by the Police during the course of investigation, only the presence of accused Nos.1 and 2 is found. It is not in dispute that the petitioner has no criminal antecedents and there is no recovery of any article from him, which were stolen from the Mahalakshmi Jewellery Shop on the alleged date of incident. The petitioner is aged 22 years and except the confession statement of the petitioner and co-accused, there is no other strong material to connect the petitioner to the crime at this stage. ..."

5. From the aforesaid, it is apparent that allegation as against accused Nos.3 to 5 in the present case is similar. Undisputedly, petitioner has no other criminal antecedents.



CNR: KAHC010619812026

Accrued Nos.4 and 5 as against whom similar allegations are found in the charge sheet, have already been enlarged on bail by this Court. Under the circumstances, I am of the opinion that petitioner's prayer for grant of regular bail needs to be answered affirmatively on the ground of parity. Accordingly, the following order:-

6. The petition is allowed. The petitioner is directed to be enlarged on bail in SC No.88/2026 pending before the Court of V Addl. District and Sessions Judge, Mandya, arising out of Crime No.83/2025 registered by Kirugavalu Police Station, Halaguru Circle, Mandya District, for the offences punishable under Sections 103, 307, 331(4), 305, 238, 190 and 61(2) of BNS, 2023 and Section 177 of the Indian Motor Vehicles Act, 1988, 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



CNR: KAHC010619812026

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

DN
List No.: 1 Sl No.: 75