



CNR: KAHC010625522026

NC: 2026:KHC:55681
CRL.P No. 13971 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 13971 OF 2026

BETWEEN:

O. BHARATHKUAR @ BHARATH
S/O GURUNATHAM
AGED ABOUT 34 YEARS
R/AT BEHIND INDIRA BUS STAND
SRI SATHYA SAI DISTRICT
VALMIKI CIRCLE, HINDUPURA TOWN
ANDHRA PRADESH - 515 207.

...PETITIONER

(BY SRI JEEVAN GOWDA S, ADV., FOR
SRI RAVIKUMARA B.R, ADV.)

AND:

STATE BY MADHUGIRI POLICE STATION
REPRESENTED BY THE STATE PUBLIC
PROSECUTOR, HIGH COURT BUILDING
BENGALURU - 560 001.

...RESPONDENT

(BY SRI RAHUL RAI K, HCGP)

THIS CRL.P IS FILED U/S 438 CR.PC (FILED U/S 482 BNSS)
PRAYING TO ALLOW THIS CRL.P AND GRANT ANTICIPATORY BAIL TO
THE PETITIONER / ACCUSED NO.3 IN CR.NO.52/2024 OF
MADHUGIRI P.S. FOR THE OFFENCE P/U/S 379,411,413 OF IPC BY
DIRECTING THE RESPONDENT POLICE TO RELEASE THE PETITIONER
ON BAIL IN THE EVENT OF HIS ARREST.

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

Digitally
signed by
NANDINI M S
Location:
HIGH COURT
OF
KARNATAKA



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CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

1. Accused no.3 in Crime No.52 of 2024 registered by Madhugiri Police Station, Tumakuru District for offences punishable under Section 379, 411 and 413 of IPC is 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.52 of 2024 was registered at Madhugiri Police Station, Tumakuru District initially for offence punishable under Section 379 of IPC against unknown person, based on the first information dated 04.05.2024 received from Smt. Bhumika. In the said case, after completing investigation, charge sheet is filed against three persons for the aforesaid offences. Petitioner is arraigned as accused no.3 in the charge sheet, which is filed invoking offences punishable under Sections 411 and 413 of IPC against him. Apprehending arrest in the case, the petitioner had filed Crl.Misc.No.5260 of 2026



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before the jurisdictional Sessions Court, which was rejected on 25.07.2026. Therefore, he is before this Court.

4. Learned counsel for the petitioner submits that petitioner was earlier arrested in Crime No.128 of 2023 and during the course of investigation of the said case, stolen articles, which were subject matter of Crime No.52 of 2024 were also recovered under common panchanama. He submits that under similar circumstances, the petitioner has been granted anticipatory bail in Crime No.95 of 2023 and Crime No.39 of 2024 registered by Kodigenahalli Police Station and Badavanahalli Police Station, Tumakuru District.

5. Learned HCGP, who has opposed the petition, does not seriously dispute the submission made by the learned counsel for the petitioner.

6. The petitioner had earlier approached this Court in Criminal Petition No.9947/2026 C/w Criminal Petition No.10026/2026 seeking anticipatory bail in Crime No.95 of 2023 and Crime No.39 of 2024 registered by Kodigenahalli



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Police Station and Badavanahalli Police Station for similar offences.

7. Considering the fact that petitioner was arrested in Crime No.128 of 2023 and the stolen articles in the aforesaid cases were already recovered and seized under panchanama during the course of investigation in Crime No.128 of 2023, this Court has granted anticipatory bail to the petitioner in the aforesaid cases in Criminal Petition No.9947 of 2026 and Criminal Petition No.10026 of 2026. In paragraph Nos.4 to 6 of the order passed in Criminal Petition No.9947 of 2026 and Criminal Petition No.10026 of 2026, it is observed as follows:-

"4. Perusal of the material on record would go to show that petitioner was arrested on 27.05.2024 in Crime No.128/2023 registered by Madhugiri Police Station, for the offences punishable under Sections 394, 411 & 413 of IPC. After the charge sheet was filed in the said case on the allegation that he had purchased the gold jewellery robbed by accused nos.1 & 2 in the said cases, petitioner was granted regular bail in the said case by this Court in Crl.P.No.5033/2026 disposed of on 12.06.2026. Therefore, it is apparent that for a period of more than two years, petitioner was in custody in Crime



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No.128/2023 registered by Madhugiri Police Station, Tumakuru District.

5. *The material made available to the court by the learned Counsel for the petitioner would go to show that during the course of investigation in Crime No.128/2023, the stolen articles which were purchased by the petitioner from accused nos.1 & 2 even in the present case have been recovered. Though the petitioner was in custody in Crime No.128/2023 for a period of two years, no effort was made by the prosecution to secure his presence under warrant in the present case. Therefore, it has to be presumed that the Investigation Officer did not want the custody of the petitioner for the purpose of interrogation as recovery of the stolen articles even in the present case was made during the course of investigation in Crime No.128/2023.*

6. *In the present case, investigation is already completed. Petitioner has undertaken to cooperate before the Trial Court and abide by the conditions that may be imposed on him. Under the circumstances, I am of the opinion that petitioner's prayer for grant of anticipatory bail is required to be answered affirmatively".*

8. Even in the present case charge sheet is already filed. In view of the aforesaid, I am of the opinion that the



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prayer made by the petitioner in the present case for grant of anticipatory bail needs to be entertained. Accordingly, the following:-

ORDER

(i) The Criminal Petition is ***allowed.***

(ii) The respondent - Police or any other police in the State of Karnataka are directed to release the petitioner in the event of his arrest in Crime No.52 of 2024 registered at Madhugiri Police Station, Tumakuru District for offences punishable under Section 379, 411 and 413 of IPC, subject to the following conditions:

1. The Petitioner shall appear before the Trial Court 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 Trial Court.

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



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police for investigation and appear before them
whenever called upon.

4. The petitioner shall not involve in similar
offences in future.

**Sd/-
(S VISHWAJITH SHETTY)
JUDGE**

NMS
List No.: 1 SI No.: 71