



CNR: KAHC010628282026

NC: 2026:KHC:54188
CRL.P No. 14127 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. 14127 OF 2026

BETWEEN:

NAGESH
S/O LATE RAMACHANDRA DEVADIGA
AGED ABOUT 56 YEARS
R/AT H. NO.2/B/135, NEAR DIANA
INDIRANAGAR 76, BADAGABETTU VILLAGE
UDUPI TALUK AND DISTRICT.

...PETITIONER

(BY SRI BALAKRISHNA M.R, ADV.)

AND:

THE STATE THROUGH
S.H.O. MANIPAL POLICE STATION
UDUPI DIST, REPRESENTED BY ITS
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 PASS AN ORDER DIRECTING THE RESPONDENT POLICE
TO RELEASE THE PETITIONER ON BAIL IN THE EVENT OF HIS
ARREST IN CRIME NO.90/2025 FOR THE ALLEGED OFFENCES
PUNISHABLE UNDER SECTION 112 OF BNS, 2023, R/W 78(3) OF
KARNATAKA POLICE ACT REGISTERED BY THE RESPONDENT
MANIPAL POLICE STATION, ON THE FILE OF THE II ASCJ AND ACJM,
UDUPI.

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

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY





CNR: KAHC010628282026

ORAL ORDER

1. Accused no.1 in Crime No.90/2025 registered by Manipal Police Station, Udupi District, for the offences punishable under Sections 78(3) of the Karnataka Police Act, 1963, and Section 112 of BNS, 2023, 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.90/2025 was registered by Manipal Police Station, Udupi District, for the aforesaid offences against the petitioner and another based on the first information dated 02.06.2025 received from Rama Prabhu, Police Officer attached to Manipal Police Station. Apprehending arrest in the said case, petitioner had approached the jurisdictional Sessions Court in CrI. Misc. No.314/2026 which was rejected on 13.08.2026. Therefore, he is before this Court.
4. A reading of the first information would go to show that, on 02.06.2025, based on credible information received that accused no.1 was carrying on illegal activities of playing Matka game within the jurisdiction of Manipal Police Station, Udupi



CNR: KAHC010628282026

District, at about 5.00 p.m., on the said date, petitioner was apprehended and on verification, he had allegedly informed that the money collected by him was being paid by him to accused no.2 - Leo Carnelio. It is under these circumstances, FIR was registered and after completing investigation, charge sheet is filed against two persons and petitioner is arrayed as accused no.1 in the charge sheet.

5. In the first information it is mentioned that on the date of registration of FIR itself, petitioner was apprehended and after inquiry, he was released by the police without arresting him. It is not the case of the prosecution that thereafter the petitioner has not cooperated with the police for the purpose of investigation. Considering the aforesaid aspects of the matter, I am of the opinion that petitioner's prayer for grant of anticipatory bail is required to be answered affirmatively. Accordingly, the following order:

6. The petition is allowed. 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.90/2025



CNR: KAHC010628282026

NC: 2026:KHC:54188
CRL.P No. 14127 of 2026

registered by Manipal Police Station, Udupi District, for the offences punishable under Sections 78(3) of the Karnataka Police Act, 1963, and Section 112 of BNS, 2023, subject to the following conditions:

1. The Petitioner shall appear before the Investigating Officer 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 investigating officer.

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 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

KK