



CNR: KAHC010628652026

NC: 2026:KHC:53042
CRL.P No. 14074 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. 14074 OF 2026

BETWEEN:

SMT. ANITHA
W/O LATE ANJANEYA
AGED ABOUT 32 YEARS
R/AT. NO.392, SANJAYGANDHI NAGAR
NANDINI LAYOUT, BENGALURU - 560 096.

...PETITIONER

(BY SRI KRISHNE GOWDA M, ADV.)

AND:

STATE OF KARNATAKA
STATE BY NANDINI LAYOUT P.S
RPTD. BY STATE PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA
BANGALORE - 560 001.

...RESPONDENT

(BY SRI RAHUL RAI K, HC GP)

THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483 BNSS)
PRAYING TO PASS AN ORDER OF BAIL ENLARGING THE
PETITIONERS IN CR.NO.2/2023 OF NANDINI LAYOUT POLICE NOW
IN S.C.NO.683/2023 AND PENDING BEFORE CCH-62 LXI ADDL.CITY
CIVIL AND SESSIONS JUDGE AT BENGALURU FOR THE OFFENCE
P/U/S 302,201,506,120B R/W 34 OF IPC.

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

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY



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ORAL ORDER

Accused No.2 in S.C.No.683/2023 pending before the Court of the LIX Additional City Civil and Sessions Judge at Bengaluru arising out of Crime No.2/2023 registered by Nandini Layout Police Station, Bengaluru City for the offences punishable under Sections 302, 201, 34, 120B and 506 of IPC, is before this Court in this successive bail application filed under Section 483 of BNSS, 2023, seeking regular bail.

2. Heard the learned counsel for the parties.

3. FIR in Crime No.2/2023 was registered by Nandini Layout Police Station, Bengaluru City for the offences punishable under Section 201 and 302 read with Section 34 of IPC, 1860 against one Rockesh and the petitioner herein, based on the first information dated 04.01.2023 received from Meghana A., (CW-1), who is the daughter of the deceased Anjaneya and the petitioner herein. In the said case, the petitioner was arrested on 04.01.2023. After completing investigation, charge sheet is filed against two persons and the petitioner is arrayed as accused No.2 in the charge sheet.

4. Petitioner had earlier approached this Court is Crl.P.No.12922/2023, which was dismissed by the Co-ordinate bench of this Court on merits on 05.02.2024. Subsequently, the petitioner had filed Crl.P.No.8718/2025, which was dismissed for non-



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prosecution on 15.04.2026. Thereafter, the petitioner had filed a fresh bail application before this Court in Crl.P.No.7701/2026 seeking regular bail on the ground of delay in trial. Considering the fact that the petitioner had not approached the Trial Court prior to approaching this Court in Crl.P.No.7701/2026, the said petition was dismissed with liberty to the petitioner to approach the Trial Court afresh on the ground of delay in trial. Thereafter, the petitioner had filed a fresh bail application before the Trial Court in Crl.Misc.No.7950/2026, which was dismissed on 05.09.2026. It is under these circumstances the petitioner is before this Court in this successive bail application.

5. The deceased Anjaneya was the husband of the petitioner herein. In the charge sheet, it is alleged that accused Nos.1 and 2 were in illicit relationship and therefore, they had conspired and committed the murder of Anjaneya in the early hours of 19.06.2022 by smothering him with a pillow and also strangulating his neck with a veil. Thereafter, accused Nos.1 and 2 had buried the dead body with an intention to destroy the evidence.

6. On 04.01.2023, CW-1, who is the daughter of the petitioner, had approached the police and based on her statement, FIR was registered against Rockesh and the petitioner herein in Crime No.2/2023. During the course of investigation of the case, the dead body of the deceased was exhumed on 13.01.2023 and



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subjected to Post Mortem. As per the Post Mortem report, death was due to ligature strangulation.

7. In the first information submitted by CW-1, it is alleged that, in the early hours of 19.06.2022, accused Nos.1 and 2 committed the murder of Anjaneya in his house by smothering him with a pillow and also strangulating his neck with a veil. CW-1 and her younger sister, who had witnessed the said incident, were allegedly threatened by accused Nos.1 and 2 of dire consequences in the event they revealed the act committed by them.

8. CW-1 has alleged that her mother had informed their relatives that Anjaneya had died due to heart ailment and thereafter his dead body was buried in a crematorium. Subsequently, CW-1 and her younger sister (CW-2) allegedly informed their relatives about the act committed by the accused persons and approached the police after a period of nearly six months from the alleged date of murder.

9. The petitioner, who is a married lady, is in custody in the present case for the last three years and six months. Though charges have been framed in the present case on 12.09.2024 itself, till date, not even a single witness has been completely examined before the Trial Court.

10. The order sheet of the Trial Court would reveal that, for the last nearly one year, in spite of coercive steps being taken



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against CW-1 and CW-2, the prosecution has failed to keep them present before the Court for the purpose of examination. CW-1, who was partly examined in chief on one day, has thereafter not appeared before the Trial Court. Therefore, even proclamation orders have been passed as against CW-1 and CW-2 and in spite of the same, their presence could not be secured.

11. Under the circumstances, considering the nature of the allegation, the period of the petitioner's incarceration and the proviso to Section 480(1) of BNSS, 2023, 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.683/2023 pending before the Court of the LIX Additional City Civil and Sessions Judge at Bengaluru arising out of Crime No.2/2023 registered by Nandini Layout Police Station, Bengaluru City for the offences punishable under Sections 302, 201, 34, 120B and 506 of IPC 1860, 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 her 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 her is disposed off.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

SHS
List No.: 1 Sl No.: 89