



NC: 2026:KHC:51558
CRL.P No. 13912 of 2026

CNR: KAHC010628862026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 13912 OF 2026

BETWEEN:

SRI KRISHNAMURTHY
SON OF ASHWATHACHAR
AGED ABOUT 34 YEARS
RESIDING AT NO.10
6TH A CROSS, VIDYAPEETA ROAD
NEAR SAI BABA TEMPLE
BALALJI NAGAR, BSK III STAGE
BENGALLURU - 560 085.

...PETITIONER

(BY SRI VENKATESH S ARBATTI, ADV.)

AND:

STATE OF KARNATAKA
REPRESENTED TROUGH PSI
CHANAMMANKER, ACHU KATHU
POLICE STATION, BENGALURU CITY
REPRESENTED BY ITS KARNATAKA STATE
PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA.

...RESPONDENT

(BY SRI CHANNAPPA ERAPPA, HCGP)

THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483 BNSS)
PRAYING TO ENLARGE THE PETITIONER ON BAIL IN CR.NO.140/2026
REGISTERED BY THE CHANNAMMANAKERE ACHUKATTU POLICE
STATION FOR THE OFFENCES P/U/S 64, 75 AND 351(2) OF THE BNS
2023 BEFORE THE HONBLE 37TH ACMM, BENGALURU.

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

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

Digitally signed
by NANDINI M
S



Location: HIGH
COURT OF
KARNATAKA



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ORAL ORDER

1. Accused in Crime No.140 of 2026 registered by Channammanakere Achukattu Police Station, Bengaluru City for offences punishable under Sections 64, 75 and 351(2) of BNS, 2023 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.140 of 2026 was registered by Channammanakere Achukattu Police Station, Bengaluru City for the aforesaid offences against the petitioner herein, based on the first information dated 27.07.2026 received from Sri R Dilip Kumar, who is the husband of the victim lady, aged 26 years. In the said case, the petitioner was arrested on 28.07.2026 and subsequently remanded to judicial custody. His bail application filed before the jurisdictional Sessions Court in Crl.Misc.No.7714 of 2026 was rejected on 03.09.2026. Therefore, he is before this Court.



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4. Learned counsel for the petitioner having reiterated the grounds urged in the petition submits that inordinate delay in approaching the police is not explained in the present case. There are no medical records suggesting the alleged crime. He submits that, major portion of the investigation is already completed. The petitioner is a married man and he is purohit by avocation. Accordingly, he prays to allow the petition.

5. Per contra, learned HCGP who has opposed the petition submits that investigation is under progress. Victim lady has made serious allegations against the petitioner even in her statement recorded under Section 183 of BNSS, 2023. Accordingly, he prays to dismiss the petition.

6. A reading of the first information dated 27.07.2026 submitted by the husband of the victim lady would go to show that the petitioner is known to the first informant for the last nearly 20 years and both of them are purohit by avocation. The marriage of the first informant with the victim was performed eight years prior to the registration of the crime. From the said wedlock, they have two children. It is alleged in the first



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information that the victim is deaf and dumb by birth and she has studied upto 12th standard. It is stated in the first information that the petitioner, who is known to the first informant and his family members, used to visit his house regularly.

7. On 30.04.2026, when the victim lady was alone in the house, the petitioner who came to the house of the victim lady at about 01.53 p.m. allegedly had forcible sexual intercourse with her and thereafter, threatened her with dire consequences, in the event, she reveals the said act to her family members. It appears that subsequently on 12.05.2026 the victim lady had informed her husband about the alleged act committed by the petitioner on 30.04.2026. The first information is belatedly submitted in the present case on 27.07.2026. No proper explanation has been offered by the first informant for the inordinate delay in approaching the police though he was informed by his wife, who is the victim in the present case about the alleged act committed on her by a petitioner on 30.04.2026. There is a delay of more than two



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months from the date of knowledge of the first informant about the alleged act the petitioner had committed on 30.04.2026.

8. The investigation officer, during the course of investigation, has collected CCTV footage to show that on 30.04.2026, the petitioner had visited the house of the victim lady as alleged in the first information. Since it is an admitted fact that the petitioner is known to the first informant and he used to visit the house of the first informant, the CCTV footage showing the petitioner entering his house on 30.04.2026 itself is not sufficient to draw an adverse inference against him.

9. The records would reveal that the petitioner is a married person having wife and children. He is a purohith by avocation having no other criminal antecedents. He has also produced certain medical records along with this petition to show that he is a heart patient and he had taken treatment for his ailment.

10. Major portion of the investigation is already completed. Learned HCGP has submitted that only report from



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Forensic Science Laboratory is awaited. Under the circumstances, the following:-

ORDER

- (i) Criminal petition is allowed.
- (ii) The petitioner is directed to be enlarged on bail in Crime No.140 of 2026 registered by Channammanakere Achukattu Police Station, Bengaluru City for offences punishable under Sections 64, 75 and 351(2) of BNS, 2023, subject to the following conditions:
 - a) The petitioner shall execute a personal bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) 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 Trial Court exempts his appearance for valid reasons;
 - c) The petitioner shall not directly or indirectly threaten or tamper with the prosecution witnesses;



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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.

In view of disposal of main petition, I.A.No.1 of 2026 and I.A.No.2 of 2026 will not survive for consideration.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE