



NC: 2026:KHC:55332
CRL.P No. 14752 of 2026

CNR: KAHC010659962026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 5TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 14752 OF 2026

BETWEEN:

SRI NAGENDRA A
S/O ANJANEYALU
AGED ABOUT 25 YEARS
R/A D. SAJJUPALLI VILLAGE
GULURU HOBLI, BAGEPALLI TALUK
CHIKKABALLAPUR DISTRICT - 561 207.

...PETITIONER

(BY SRI DEVENDRA N, ADV.)

AND:

1. STATE OF KARNATAKA
BY BAGEPALLI POLICE STATION
CHIKKABALLAPUR
REPRESENTED BY STATE PUBLIC
PROSECUTOR, HIGH COURT OF
KARNATAKA, BENGALURU - 560 001.
2. CHILD WELFARE COMMITTEE
CHIKKABALAPUR
CHIKKABALLAPUR DISTRICT - 562 101.
3. XXX

...RESPONDENTS

(BY SRI CHANNAPPA ERAPPA, HCGP FOR R-1 TO R-3;
SRI ABHILASH KUMAR M.N, ADV., FOR R-2)

THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483 BNSS)
PRAYING TO ENLARGE HIM ON BAIL IN CR.NO.258/2026 OF
BAGEPALLI P.S. CHIKKABALLAPURA DIST. (1ST RESPONDENT
HEREIN) WHICH IS NOW PENDING ON THE FILE OF THE ADDL.DIST.
AND SESSIONS JUDGE, FTSC-1 (POCSO) CHIKKABALLAPURA FOR
THE OFFENCE P/U/S 65(1) OF BNS 2023 AND SEC.4(2),5(J)(II),12
OF POCSO ACT.



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

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

1. Accused in Special SC No.181/2026 pending before the Court of Additional District and Sessions, FTSC-I, Chikkamagaluru, arising out of Crime No.258/2026 registered by Bagepalli Police Station, Chikkaballapura, for the offences punishable under Section 65(1) of BNS, 2023 and Sections 12, 5(J)(II), 5(n) and 4(2) of the POCSO Act, 2012, 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.258/2026 registered by Bagepalli Police Station, Chikkaballapura, for the aforesaid offences against petitioner herein based on the first information dated 12.07.2026 received from the victim girl, who is the daughter of respondent No.3 herein. In the said case, during the course of investigation, petitioner was arrested on 14.07.2026 and remanded to judicial custody. Investigation of the case is now



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completed and charge sheet is filed against him for the aforesaid offences. His bail application filed before the Trial Court in Crl.Misc.No.421/2026 was rejected on 05.09.2026. Therefore, he is before this Court.

4. Learned counsel for the petitioner and learned counsel for respondent No.3 jointly submit that petitioner and the victim girl are in love. Petitioner is the maternal uncle of the victim girl. Parents of the petitioner and the parents of the victim girl have now decided to perform the marriage of the petitioner with the victim girl, after she attains the age of majority.

5. Learned HCGP brings to the notice of this Court that victim girl is a minor and allegation against the petitioner is that he had sexual intercourse with her and as a result, she had conceived. He submits that DNA test report is not yet received from Forensic Science Laboratory.

6. In the charge sheet, which is now filed, it is alleged that petitioner and the victim girl, who were in love had sexual intercourse and as a result, the victim girl had conceived. Subsequently, victim girl had visited the Hospital since she had



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missed her periods and the Doctor in the Hospital, who had medically examined her, had informed her that she was pregnant. It is under these circumstances, she had approached the police and based on her first information, FIR has been registered against petitioner for the aforesaid offences.

7. Charge sheet material would go to show that petitioner and the victim girl are close relatives and they hail from same village. Parents of the petitioner and parents of the victim girl are present before this Court and they have submitted that after the victim girl attains the age of majority, her marriage with the petitioner would be performed. Parents of the petitioner also have filed an affidavit to the aforesaid effect undertaking to perform the marriage of the petitioner with the victim girl, after she attains the age of majority.

8. Under similar circumstances, the Co-ordinate Bench of this Court in Crl.P.No.14246/2025 dated 19.12.2025 had granted regular bail to the accused, who was the biological father of the fetus. In paragraph Nos.7 to 9 of the said order, it is observed as follows:-



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"7. Column No.17 of the charge sheet indicate that date of birth of the victim girl is 15.07.2008. Both the petitioner and C.W.1 - victim girl were having love affair. Petitioner took the victim girl during August, 2024 on his bike, both went to a village in Chikaballapur, resided in a shed and had sexual intercourse. Victim girl became pregnant. Pregnancy of the victim girl was aborted and the fetus has been sent for DNA test along with blood samples of petitioner and the victim girl. DNA test report indicate that the petitioner is the biological father and victim girl is the biological mother of the fetus. Statement of the victim girl indicate that she was having love affair with the petitioner. Petitioner has agreed to marry the victim girl after she attains the age of majority. Parents of the petitioner have filed affidavit that they will perform the marriage of their son, who is petitioner herein, with the victim girl after she attains the age of majority.

8. Date of birth of the victim girl is 15.07.2008 and she will attain majority on 15.07.2026. Parents of the petitioner have to perform marriage of their son petitioner, with the victim girl within 1 month from the date the victim girl attains the age of maturity, i.e., on or before 15.08.2026.



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9. As charge sheet is filed, petitioner is not required for custodial interrogation. Petitioner has undertaken to appear before the trial Court on all dates of the hearing."

9. Petitioner aged 25 years has no other criminal antecedents. He is said to be an agriculturist by avocation. Under the circumstances, the following order:-

10. The petition is allowed. The petitioner is directed to be enlarged on bail in Special SC No.181/2026 pending before the Court of Additional District and Sessions, FTSC-I, Chikkamagaluru, arising out of Crime No.258/2026 registered by Bagepalli Police Station, Chikkaballapura, for the offences punishable under Section 65(1) of BNS, 2023 and Sections 12, 5(J)(II), 5(n) and 4(2) of the POCSO Act, 2012, 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;



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- 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;
- 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