



CNR: KAHC010693152026

NC: 2026:KHC:55624
CRL.P No. 15349 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. 15349 OF 2026

(439(Cr.PC) / 483(BNSS))

BETWEEN:

SHARATH KUMAR H K
S/O LATE H V KRISHNA
AGED ABOUT 35 YEARS,
RESIDING AT KOOLENAHALLI SABBANHALLI POST,
HIRISAVE HOBLI,
CHANNARAYAPATNA TALUK
HASSAN DISTRICT
MANDYA-573124

...PETITIONER

(BY SRI. RAJU C N., ADVOCATE)

AND:

STATE BY BINDIGANAVILE POLICE MANDYA
REPRESENTED BY SPP
HIGH COURT OF KARNATAKA
BANGALORE - 560001

...RESPONDENT

(BY SRI. CHANNAPPA ERAPPA, HCGP)

THIS CRL.P IS FILED U/S.439 (FILED U/S.483 BNSS)
CR.P.C PRAYING TO ENLARGE THE PETITIONER ON BAIL IN
SPL.C.NO.266/2026 ON THE FILE OF THE PRINCIPAL DISTRICT



CNR: KAHC010693152026

AND SPECIAL JUDGE AT MANDYA ARISING OUT OF CRIME NO.159/2014 OF BINDIGANAVILE POLICE MANDYA FOR THE OFFENCE P/U/S 379 OF IPC AND SEC.4(1A),21(1),21(5) OF MMRD ACT, BY ALLOWING THIS PETITION.

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

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

Accused No.3 in Spl.C.No.266/2026 pending before the Court of the Principal District and Special Judge at Mandya arising out of crime No.159/2014 of Bindiganavile Police, Mandya, for the offences punishable under Section 379 of IPC and Section 4(1A), 21(1), 21(5) of the Mines and Minerals (Development and Regulation) Act, 1957, is before this Court in this petition filed under Section 483 of the BNSS, 2023, seeking regular bail.

2. Heard the learned counsel for the parties.

3. Perusal of the record would go to show that the petitioner, who was arrayed as accused in the charge sheet had not appeared before the Committal Court after service of



CNR: KAHC010693152026

summons and thereafter, a split up case was registered against him. In the said case, he was arrested and remanded to the judicial custody on 23.09.2026. Thereafter, the Committal Court has committed the case to the Court of Special Judge at Mandya for trial. His bail application filed before the trial Court in Spl.C.No.266/2026 was rejected on 30.09.2026. Therefore, he is before this Court.

4. Reading of the first information would reveal that accused Nos.1 and 2 who were transporting sand illegally in two separate tractor were apprehended by the police on 27.07.2014 and during the course of interrogation, it was revealed that the petitioner was the registered owner of the aforesaid tractor. It is under these circumstances, he is arrayed as accused No.3 in the charge sheet. The petitioner who is said to be a Government Servant is now arrested on 23.09.2026 and remanded to judicial custody. The Trial against accused Nos.1 and 2 is still pending consideration. The alleged offences are not punishable with the death or life



CNR: KAHC010693152026

imprisonment. The petitioner has undertaken to cooperate before the Trial Court for speedy disposal of the case.

5. Considering the aforesaid aspects of the matter and more so, the nature of allegations against him, the following:

ORDER

- (i) The criminal petition is ***allowed***.
- (ii) The petitioner is directed to be enlarged on bail in Spl.C.No.266/2026 pending before the Court of the Principal District and Special Judge at Mandya arising out of Crime No.159/2014 registered by Bindiganavile Police Station, Mandya, registered for the offences punishable under Section 379 of IPC and Section 4(1A), 21(1), 21(5) of the Mines and Minerals (Development and Regulation) Act, 1957, 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;

b) The petitioner shall appear regularly on all the dates of hearing before the Trial Court unless the



NC: 2026:KHC:55624
CRL.P No. 15349 of 2026

CNR: KAHC010693152026

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

SSB