



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 10TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

CRIMINAL PETITION NO.14911 OF 2025

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

BETWEEN:

MADHU K.S. S/O. SEENAPPA,
AGED ABOUT 24 YEARS,
R/AT. NEAR SLV TEMPLE,
KAVERI NAGAR, MAHADEVAPURA,
BENGALURU-560 048.

...PETITIONER

(BY SRI. MANJUNATH M.R., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA BY
MAHADEVAPURA P.S, BENGALURU,
REP. BY STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDING, BENGALURU-560001.
2. SRI. GANGADHARA S/O. GURAPPA,
AGED ABOUT 57 YEARS,
R/AT. NO.300, 1ST MAIN ROAD,
KAVERI NAGAR, MAHADEVAPURA,
BENGALURU-5600 48.

...RESPONDENTS

(BY SRI. K. NAGESHWARAPPA, HCGP FOR R1;
NOTICE TO R2 IS SERVED)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 439 CR.PC (FILED UNDER SECTION 483 BNSS) PRAYING TO ENLARGE HIM ON BAIL IN CRIME NO.345/2025 REGISTERED BY MAHADEVAPURA P.S, BENGALURU, FOR OFFENCE PUNISHABLE UNDER SECTION 64(2)(M), 87, 127(3) OF BHARATIYA NYAYA SANHITA-2023, SECTION 6 OF POSCO ACT-2012 AND SECTION 9 OF PROHIBITION OF CHILD MARRIAGE ACT, PENDING ON THE FILE OF C/C ADDL. CITY CIVIL AND SESSIONS JUDGE, FTSC-V BENGALURU IN SPL. C.C. NO.1737/2025 AND ETC.,.



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

CORAM: HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

ORAL ORDER

Heard the learned counsel appearing for the petitioner, learned HCGP appearing for respondent No.1/State. Complainant/respondent No.2 though served is not represented.

2. This petition is filed seeking regular bail in Crime No.345/2025 registered before Mahadevapura Police Station, Bengaluru for the offences punishable under Sections 64(2)(m), 87, 127(3) of Bharatiya Nyaya Sanhita, 2023, Section 6 of Protection of Children from Sexual Offences Act, 2012 (POCSO Act) and Section 9 of Prohibition of Child Marriage Act, 2006. The proceeding is pending before the Special Judge in Spl.C.C.No.1737/2025.

3. The complaint was lodged by the victim's father on 03.06.2025. The complaint dated 03.06.2025 reveals



that the father of the victim has lodged the complaint stating that his daughter and granddaughter went in a bus. Thereafter, the granddaughter alighted the bus in Hoody bus station and daughter continued in the said bus stating that she would get down at the college bus stop, however, she has not returned. Thereafter, the police have investigated the matter and the charge sheet is filed as aforesaid alleging the aforementioned offences.

4. The learned counsel for the petitioner would submit that the victim has been examined and she has not supported the case of the prosecution. It is also alleged that she was aged 16 at the time of the alleged incident and petitioner is implicated in the case on the basis of the alleged statement of the victim who allegedly came on 11.06.2025.

5. It is further submitted that victim in her examination-in-chief has not supported of the prosecution and she was treated hostile and in the cross examination also she has not supported the case of the prosecution. It



is further submitted that the charge sheet is filed and custodial interrogation is not required and the petitioner is in custody since 11.06.2025.

6. Learned HCGP would oppose the petition on the premise that after the investigation, the charge sheet is filed and materials collected would implicate the petitioner. In case, the petitioner is released on bail there is every possibility that he may induce the witnesses or threaten the witnesses to be examined by the prosecution is the submission. It is also submitted that there are many witnesses to be examined and it would not be safe to release the petitioner at this stage of the proceeding.

7. The Court has considered the contentions raised at the Bar and perused the records.

8. Admittedly, there are no criminal antecedents against the petitioner. The petitioner is in custody since 11.06.2025. Admittedly, the complainant was a minor at the time of alleged incident and after going through the



contents of the charge sheet materials, it appears that the petitioner and the victim were in some kind of relationship and knew each other. Though the alleged consent is not a consent in eye of law, the said factor can be taken into consideration as one of the mitigating factors while considering the bail petition along with other circumstances if they support the petitioner's claim. It appears that victim has not fully supported the case of the prosecution.

9. After considering the overall materials, the Court is of the view that the petitioner is to be enlarged on bail subject to certain conditions.

10. Hence the following:

ORDER

Petition is ***allowed*** subject to the following conditions:

- i. Petitioner shall be enlarged on bail in
Crime No.345/2025 on executing a



personal bond for Rs.2,00,000/- with two sureties for the likesum to the satisfaction of the Trial Court.

- ii. Petitioner shall punctually attend the Trial Court on each and every posting unless expressly exempted.
- iii. Petitioner shall cooperate with the trial.
- iv. Petitioner shall not threaten, induce, or promise anyone acquainted with the facts, nor tamper with evidence or witnesses.
- v. Petitioner shall furnish current address, active mobile number, to the jurisdictional police and intimate any changes within 48 hours.
- vi. Petitioner shall not leave the jurisdiction of the police station without prior information and intimation to the jurisdictional police.



vii. Petitioner shall not commit any offences.

Observations made in this order are not observations on merits of the case before the Trial Court.

Sd/-
(ANANT RAMANATH HEGDE)
JUDGE

BRN
CT: UMD
List No.: 19 SI No.: 3