



**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 17<sup>TH</sup> DAY OF JUNE, 2026**

**BEFORE**

**THE HON'BLE MR. JUSTICE S RACHAIAH**

**CRIMINAL APPEAL NO. 2337 OF 2025**

**BETWEEN:**

MR. ANIL  
S/O LATE RANGAPPA  
AGE ABOUT 31 YEARS  
R/A C/O GOWRAMMA  
3<sup>RD</sup> MAIN 4<sup>TH</sup> CROSS  
VIJAYANAGAR BANGARAPETE TOWN  
TALUKA KOLAR GOLD FIELD  
DISTRICT KOLAR - 563 114

...APPELLANT

(BY SRI. VEERANNA G. TIGADI, ADVOCATE)

**AND:**

1. THE STATE OF KARNATAKA  
REP BY STATE PUBLIC PROSECUTOR  
HIGH COURT OF KARNATAKA  
BENGALURU - 560 001
2. VENKATAPPA  
S/O. LATE VENKATAMUNIYAPPA  
AGED 67 YEARS  
R/O. RAMALINGAPURA VILLAGE  
BANGARAPETE TALUKA  
KOLAR GOLD FIELD  
KOLAR DISTRICT - 563 114

...RESPONDENTS

(BY SRI. M.V. ANOOP KUMAR, HCGP FOR R1  
R2 IS SERVED AND UNREPRESENTED)



THIS CRL.A IS FILED U/S 14(A)(2) OF SC/ST (POA) ACT BY THE ADVOCATE FOR THE APPELLANT/S PRAYING THAT THIS HONOURABLE COURT MAY BE PLEASED TO ALLOW THE APPEAL BY SETTING ASIDE THE IMPUGNED ORDER DATED 31.07.2024 DISMISSING HIS PETITIONER U/S 439 OF CR.P.C., 1973 IN SPL.SC.NO.10/2023 CRIME NO.49/2023 REGISTERED IN BANGARPET POLICE STATION, AND GRANTING HIM BAIL IN SC.NO.10/2023, FOR THE OFFENCES P/U/S 120(B), 302, 397, 201 R/W 34 OF IPC, 1860, U/S 3(2)(v) OF SC/ST (POA) AMENDMENT ORDINANCE, 2014, PENDING ON THE FILE OF THE LEARNED II ADDL. DISTRICT AND SESSIONS JUDGE, KOLAR.

THIS APPEAL, COMING ON FOR ORDERS, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE S RACHAIAH

**ORAL JUDGMENT**

The Appellant – accused No.2 is before this Court seeking for grant of regular bail in Cr.No.49/2023 for the offences punishable under Sections 120B, 302, 397, 201 R/w 34 of Indian Penal Code (for short 'the IPC') along with Section 3(2)(v) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 (for short 'the SC/ST Act').



2. The case of the prosecution is that the complainant Sri. Venkatappa lodged a complaint stating that his daughter Pramila married Sri. Nagappa of Moparapalli village, near Mulabagilu. The said Nagappa died 8 years ago. Therefore, his daughter was leading her life by running a bangle store at a rented premises at Kuppaswamy Modaliyar Layout, since the last 3 years.

3. The accused No.1 had abandoned her husband and was residing alone at a rented house at Bangarpete. The said accused No.1 had asked/sought financial assistance from the victim. However, the said Pramila refused to give her any financial assistance, instead, it is alleged that the victim - Pramila was telling the relatives and others that Swathi was suffering from AIDS. The accused No.1 having learnt that the deceased Pramila was gossiping about her character, she was humiliated and developed animosity towards the deceased. In order to execute the plan of murder, she has contacted accused No.2/appellant to commit the murder of Pramila.

4. On 14.02.2023 at about 09.00 a.m. they conspired together the mode and method to commit murder and



accordingly, on the same day, at about 09.00 p.m., they purchased liquor/alcohol and went to the outskirts of Amaravathi Nagar and together consumed alcohol in the auto. They made the deceased Pramila to consume alcohol as well. As a result of which, the said Pramila was almost in an unconscious stage. Then they took her to the farmhouse of Prabhaka Rao and they committed murder of the deceased Pramila. Thereafter, in order to cause disappearance of evidence, they threw the dead body into the Aniganahalli lake. Thereafter, they went to their respective places. The respondent police, after visiting the place, conducted investigation and submitted the charge sheet. The submission of the learned counsel for the appellant is that the appellant is innocent of the alleged offences. The entire case is based on circumstantial evidence. Even though it is stated that some articles were found and recovered from the appellants, the fact remains that none of the witnesses have spoken about the identity of those articles. The accused No.1 has been granted bail by the Trial Court. The appellant is also standing on the same footing and hence, he may be enlarged on bail by imposing suitable conditions. He would abide by the conditions



to be imposed in the event of his release on bail. Making such submissions, the learned counsel for the appellant prays to allow the appeal.

5. Per contra, the learned HCGP for State vehemently submitted that the appellant, who is arrayed as accused No.2. As per the averments of the charge sheet, he strangled the deceased and committed her murder. Thereafter, he took/stole all the gold and silver articles found on the dead body and those articles were recovered and seized under the seizure mahazar. Prima facie, the appellant has committed heinous offence like murder. Therefore, it is not appropriate to grant the relief as prayed for.

6. Having heard the learned counsel for the respective parties and on perusal of the averments of the charge sheet, it appears that the entire case is based on circumstantial evidence. Though, it is alleged that the appellant and another have committed the murder of the deceased, the fact remains that the averments of the charge sheet did not disclose who identified the gold articles. Moreover, the other accused, who is arrayed as accused No.1 has been granted bail by the Trial



Court. Therefore, it is appropriate to grant bail on parity.

Hence, I proceed to pass the following:

**ORDER**

- (i) The appeal is ***allowed***.
- (ii) Consequently, the order in Spl.SC.No.10/2023 dated 31.07.2024 on the file of II Addl. District and Sessions Judge, Kolar, is set aside.
- (iii) The appellant is ordered to be enlarged on bail in Crime No.49/2023 of the respondent – Police, pending on the file of the II Additional District and Sessions Judge, Kolar, on executing a personal bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) with one surety for the likesum to the satisfaction of the Trial Court, subject to the following conditions:
  - a) The appellant shall appear before the Trial Court on all dates of hearing without fail.



- b) The appellant shall not threaten nor tamper the prosecution witnesses.
- c) The Registry is directed to communicate this order to the Trial Court forthwith.

In case, if the appellant violates any of the bail conditions as stated above, the prosecution will be at liberty to seek for cancellation of bail.

**Sd/-**  
**(S RACHAIAH)**  
**JUDGE**

BH  
List No.: 1 Sl No.: 12