



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 2ND DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE MOHAMMAD NAWAZ

CRIMINAL PETITION NO. 17182 OF 2025

BETWEEN:

MR. GOUTHAM
S/O ARMUGAM,
AGED ABOUT 22 YEARS,
R/AT NO.22/1ST MAIN, 2ND CROSS,
BEHIND OLD RAGHU MEDICAL STORE,
BOMBAY DYEING YESHWANTHPURA,
BANGALURU-22.

...PETITIONER

(BY SRI. SHASHIKALA. K.,ADVOCATE)

AND:

STATE BY YESHWANTHPURA POLICE STATION
REPRESENTED BY
STATE PUBLIC PROSECUTOR,
HIGH COURT PREMISES,
BANGALORE-560 001.

...RESPONDENT

(BY SRI. RAHUL RAI K., HCGP)

THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483 BNNS) PRAYING TO RELEASE THE PETITIONER ON BAIL IN CR.NO.36/2019 OF RESPONDENT YESHWANTHPURA P.S., BANGALORE PENDING ON THE FILE OF LXVII ADDL. CITY CIVIL AND SESSIONS JUDGE BANGALORE IN SC.NO.641/2019. P/U/S. 302, 307, 397, 114 R/W 34 OF IPC.

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



CORAM: HON'BLE MR. JUSTICE MOHAMMAD NAWAZ

ORAL ORDER

Petitioner has preferred this petition to enlarge him on bail in SC.No.641/2019 pending on the file of the Court of LXVII City Civil and Sessions Judges at Bengaluru.

2. The above Sessions case arise out of Crime No.36/2019 of Yeshwanthapura Police Station, Bangalore City. Charge sheet is filed against accused Nos.1 to 3, for the offence punishable under Section 302, 307, 397, 114 read with Section 34 of IPC. Petitioner is arraigned as accused No.1 in the charge sheet.

3. The Learned counsel for the petitioner contented that the petitioner was arrested on 29.01.2019 and since then is in judicial custody. The specific overt act of assaulting the deceased is against accused No.2 and the only allegation against the petitioner is that he has instigated accused No.2. She contended that there is delay in conclusion of the trial and therefore, the petitioner may be enlarged on bail by imposing any conditions.



4. Learned High Court Government Pleader contended that this is a successive bail petition filed by the petitioner. The earlier petitions are dismissed by this Court considering the gravity of the offence. All the accused, with a common intention has committed the murder of one Vinod Kumar as well as caused injuries to one Maruthi. He contended that there are eye witnesses to the incident. The trial is in progress. The eye witnesses have supported the case of prosecution. Therefore, if the petitioner is enlarged on bail, he may flee from justice and may commit similar offences. He has therefore sought to dismiss the petition.

5. It is not in dispute that the petitioner had approached this Court in Crl.P.No.3342/2021, Crl.P.No.8621/2021 and Crl.P.No.8727/2022 and Crl.P.No.6655/2024. Considering the facts of the case, nature and gravity of the offence and the material against the petitioner, his prayer for bail was rejected by this Court.



6. Crl.P.No.8727/2022 was disposed of vide Order dated 27.09.2023, wherein, the petitioner was granted liberty to file a fresh petition before the Sessions Court after recording of the evidence of material witnesses. The petitioner without approaching the Sessions court, once again preferred Crl.P.No.6655/2024, which was dismissed by order dated 25.09.2024.

7. The material on record goes to show that the learned Sessions Judge has dismissed petitioner's bail application on 17.02.2021. Thereafter, it appears that the petitioner has not filed any petition before the Sessions Court for bail on changed circumstances including on the ground of delay in trial. Hence the petitioner is at liberty to file a fresh petition before the Sessions Court on any changed circumstances. With such liberty, petition is ***disposed of.***

**Sd/-
(MOHAMMAD NAWAZ)
JUDGE**