



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 13TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE MOHAMMAD NAWAZ

CRIMINAL PETITION NO. 17587 OF 2025

BETWEEN:

SANTHOSH DHAMI
S/O RAJENDRA DHAMI,
AGED ABOUT 26 YEARS,
R/AT NO.251,
RAMLEELA APARTMENT,
1ST CROSS, 12TH MAIN,
NRI LAYOUT, PHASE-2,
RAMAMURTHYNAGAR,
BENGALURU-560 016.

PETITIONER

(BY SRI. MANJUNATHAGOWDA K.S., ADVOCATE)

AND:

STATE OF KARNATAKA
BY SHO RAMAMURTHY NAGAR P.S.,
BENGALURU.
REP BY STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDING ,
BENGALURU-560 001.

...RESPONDENT

(BY SRI. RAHUL RAI K., HCGP)

THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483 BNSS) PRAYING THAT THE ABOVE PETITIONER/ACCUSED NO.1 MAY KINDLY BE ORDERED TO BE RELEASED ON BAIL IN THE S.C.NO.400/2023 OF CRIME NO.510/2022 REGISTERED BY RESPONDENT RAMAMURTY NAGAR POLICE STATION FOR THE



OFFENCES PUNISHABLE UNDER SECTION 302 OF IPC PENDING BEFORE THE HON'BLE XLV ADDL. CITY CIVIL AND SESSIONS JUDGE, BENGALURU (CCH-46) MAY BE ALLOWED.

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

CORAM: HON'BLE MR. JUSTICE MOHAMMAD NAWAZ

ORAL ORDER

Learned High Court Government Pleader accepts notice for respondent-State.

2. This is a successive bail petition preferred by the petitioner praying to enlarge him on bail in SC No.400/2023 pending on the file of the Court of XLV Additional City Civil and Sessions Judge, Bengaluru, arising out of Crime No. 510/2022 of Ramurthynagar Police Station, Bengaluru City.

3. The petitioner was unsuccessful in CrI.P.No.11838/2023 and CrI.P.No.10615/2025 filed before this Court praying to enlarge him on bail.



4. While dismissing Crl.P.No.10615/2025, this Court has observed that since CW2 has not been examined, it is not a fit case to enlarge the petitioner on bail. However, reserved liberty to the petitioner to move for bail if the trial was not concluded within 4 months.

5. The learned counsel for petitioner contended that even after expiry of 4 months from the date of disposal of the above petition, the trial is not concluded and even CW2 has not been secured by the trial Court. He submitted that there are 26 witnesses cited in the charge sheet and as of now only 4 witnesses are examined. He submits that the petitioner is in judicial custody from 30.11.2022 i.e., for more than 3 years 3 months and therefore, seeks to allow the petition and enlarge the petitioner on bail.

6. The prayer for bail is opposed by the learned High Court Government Pleader contending that the trial is in progress and CW2 is a material witness and if the



petitioner is enlarged on bail, he may tamper the said witness. He further contended that the petitioner is a permanent resident of Nepal and therefore, if he is released on bail, he may abscond and in that case it will be difficult to secure his presence.

7. The petitioner was given liberty to move for bail if the trial is not completed within 4 months, in the order passed by this Court dated 31.10.2025, while dismissing Crl.P.No.10615/2025. After dismissal of the said petition, the petitioner has not approached the Sessions Court seeking bail. It is not forthcoming as to why CW2 is not yet examined. Further, on the ground of delay in trial the petitioner has not approached the trial Court.

8. It is submitted that the charges were framed on 28.08.2024. Hence, petitioner may be granted liberty to file a fresh petition before the Sessions Court on the ground of delay in trial. In that event, the bail application



shall be considered by the learned Sessions Judge in accordance with law, as expeditiously as possible.

With the above observation, the petition is **disposed of.**

No observations are made on the merits of the case.

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

TL
List No.: 1 Sl No.: 1